

EXTENSIONS OF REMARKS

PRAISE FOR CONGRESSMAN
BILL SCHERLE

HON. JOHN T. MYERS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 1974

Mr. MYERS. Mr. Speaker, it is not often that politicians are applauded for the job they are doing. However, I was fortunate to be the guest of the National Limestone Institute last week and to hear Institute Chairman John Schildberg praise the work and dedication of one of our colleagues, Congressman BILL SCHERLE of Iowa. Mr. Schildberg's remarks are particularly significant in view of the problems we face as a nation, and I would like to share them with all the Members of the House:

REMARKS OF CHAIRMAN JOHN SCHILDBERG

Senator Scott, esteemed Members of the Senate, Honorable Members of the House, Honored Guests, Ladies and Gentlemen of the National Limestone Institute.

As we bring to a close the year of my serving you as your Chairman, I would like to share some thoughts and reflections with you.

In the year 1973 we have seen a turn of events that I believe will change our basic government functions—not a change in our government system but a very definite change in the functions.

We will also see a change in our very basic way and style of life.

A change I hope that will bring us back to the ideals that made this country great.

Back to a strong free enterprise system—as you know our country has just weathered a severe economical crisis in its balance of payments—and it was the American Farmer—one of the last bastions of our free enterprise system that saved us in this crisis.

We cannot let the American Family Farm pass into obscurity.

We must always keep in mind that the Lord has given us the stewardship of the land and it is vital that we protect this stewardship, and pass it to future generations in at least as good a shape, if not better than when we received it. We must not forsake this great resource.

We are now in the midst of an energy crisis, contrived or otherwise only time will tell, but make no mistake we are in a crisis. Ask any auto worker or airline employee who has lost his job. They will tell you the crisis is real. But as the pendulum swings, as it many times does when we search for an answer to such a crisis, we must not lose sight of the fact that we have a Road System in this Country second to none in the World, and it is this same Road System that is a very important reason that we have also an economy that is second to none.

We have accomplished this great road system mostly from revenues and funds derived from the use of the road system itself. Yes, Funds, as our Highway Trust Fund. We must not let the pendulum swing to the point where we destroy the Highway Trust Fund, then our great Road System, and finally the economy of this Nation itself.

In listening to Hugh Sidey yesterday, who by the way my wife and I went through school with back in Greenfield, Iowa, and maybe this is the reason for our solid Midwestern American feelings, we heard Hugh relate to something very close to my heart, "Creditability"—

Creditability in Public Office, Creditability in the Press and Creditability in our own personal lives—to me this all adds up to "American Creditability".

As many of you know, I have been involved in a project in Europe. For the past few years I have talked to many, many Europeans and I must say I have seen our American image through our creditability go from a high during the Eisenhower Administration, peak during the Kennedy Administration and then steadily fall to its present embarrassing low ebb.

About a week ago I saw my Congressman Bill Scherle, who spoke to us this noon, on a one-on-one TV interview. The questions that were called in and then asked straight to Bill covered almost every facet of today's problems. Bill answered every question straightforward in all honesty as he saw it. Never once did he circumnavigate a question or a point.

Bill made me proud to be an American and also proud to know I am represented by a man with such a good Creditability.

I thank Bill, as well as Hugh Sidey who spoke yesterday, and now Senator Scott who have given us the change we as individuals need.

Let's start at the grassroots, let's each one personally become creditable in his own right.

Then become involved in your community—in your Politics—in your Associations. Not by lip service, but by doing.

Give of your time and effort as well as helping financially. The Program—The Candidate—the Issue of your choice.

Keeping in mind in every endeavor we must be straightforward, honest, and above-board.

With this return to our basic ideals I am sure we can look forward to a good sound future in this Country.

One we can be proud of in our own eyes as well as in the eyes of the World.

AMENDMENT TO H.R. 11793

HON. BELLA S. ABZUG

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 1974

Ms. ABZUG. Mr. Speaker, when H.R. 11793, the legislation establishing the Federal Energy Administration, comes to the floor for amendments, I will offer amendments concerning fuel reserves on land owned by the Federal Government and concerning protection of the environment from energy actions undertaken by the Federal Energy Administration.

The amendment regarding fuel reserves on Federal land would provide the FEA Administrator with authority to collect information about such reserves. It has been estimated that 80 percent of our fuel reserves are on public land. However, as FEO Administrator Simon has admitted, we have no adequate data concerning those reserves. That information is vital if we are to know accurately what our reserve status is and if we are to develop our energy policies on the basis of the best available information.

The amendment I will offer with re-

gard to environmental protection would establish, within the FEA an environmental protection unit. The purpose of this unit would be to coordinate the energy activities of the Federal Energy Administration with those of the Environmental Protection Agency so as to prevent violations by FEA of our environmental laws.

The text of the amendments follows:

AMENDMENT TO H.R. 11793

Page 33, line 10, after "information" insert the following, "concerning fuel reserves on land owned by the Government of the United States, and have authority to collect energy information".

Page 30, between lines 5 and 6, insert the following new section:

ENVIRONMENTAL PROTECTION

SEC. 11. There shall be established within the Federal Energy Administration an Environmental Protection Unit whose primary purpose shall be to coordinate activities between the Federal Energy Administration and the Environmental Protection Agency. The purpose of such coordination shall be to preclude the possibility that the energy actions undertaken by the Federal Energy Administration will be violative of environmental protection laws including, but not limited to, the National Environmental Protection Act and the Clean Air Act.

And renumber the succeeding sections accordingly.

DALLAS BUILDING PLANS AHEAD
FOR ENERGY SAVINGS

HON. JAMES M. COLLINS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 1974

Mr. COLLINS of Texas. Mr. Speaker, in Dallas we have all been proud of the excellent engineering job done by Herman Blum in preparing the 56-story First International Building of Dallas. From the very first, they have looked into the future as to conservation of energy. The First International Building will come in with many innovations which will be invaluable to future conservation programming and savings in energy.

I have heard this plan discussed many times but I saw it summed up very well in the story that was written in the December issue of the New York Times:

BIG DALLAS BUILDING TO USE BODY HEAT TO SAVE ON ENERGY

DALLAS.—Body heat will be used to conserve energy in this city's tallest building, beginning next spring.

The building is the 56-story First International Building of Dallas and the man responsible for the energy conservation effort is Herman Blum, a nationally known consulting engineer.

Designed more than two years ago, First International is the first major structure in the Southwest to incorporate three basic systems to conserve energy.

The first system involves the collection of heat generated by people and electric lighting in the interior of the building. The heat is next distributed through a variable-volume outlet to the exterior of the structure. This

blanket of heat then counteracts energy losses through the glass walls.

The second area of energy saving is through highly efficient insulated reflective glass. "We came up with reflective glass on the outside separated by an air space from a second insulating pane on the inside," Mr. Blum said. "The result of all this is a 15 per cent savings of fuel required for summer air-conditioning."

The third energy-saving system is the variable-volume outlet, which automatically adjusts the air between the exterior walls. If the outside is too cool, the outlet opens up and pumps warm air into the space between the two walls. If the space is too warm, it shuts down and provides less warm air, thus controlling the temperature of the space.

Mr. Blum estimates savings of 25 to 30 per cent on the total cost of energy in the building * * * structures. Savings on heating are expected to exceed 55 per cent.

THE ENERGY INFORMATION ACT

HON. OGDEN R. REID

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 1974

Mr. REID. Mr. Speaker, I am introducing a bill today entitled the Energy Information Act. It is, I believe, a measure which has been sorely needed for a long time. The bill would create a Bureau of Energy Information within the Department of Commerce and a national energy information system would be operated and maintained by the Bureau.

The pronouncements we hear almost daily now from William E. Simon, our so-called energy "czar," from the oil industry, and from economists have, at the very least, confused the Nation terribly. Paradox and contradiction have exacerbated the energy crisis for the American people and the deliberate obfuscation of energy information by the major oil companies has certainly not helped at all. One is easily convinced by the industry's windfall profits in 1973 that the current crisis is being used to rip off the American consumer.

Mr. Speaker, there is only one way in which the Congress and the American people will ever learn the true facts behind the energy crisis. It has become amply clear that we can no longer rely upon the American Petroleum Institute or the Oil Daily to tell us what is happening. Relying on information voluntarily produced by the oil companies does not give us any more insight into whether the oil shortage is real or just the result of a misfired marketing scheme designed to upgrade profits. Experience now proves that neither Congress nor the administration can afford to rely on industry-supplied data to set energy policy for the Nation. The time has come for the Federal Government to begin collecting, organizing, standardizing, coordinating, and disseminating energy information. It is to that end that my bill, the Energy Information Act, is directed.

Mr. Speaker, with rising demands for congressional action on the energy crisis, the creation of a Bureau of Energy Information to serve as a "census bureau"

for the energy industry should be a top legislative priority. I believe that the creation of such a system, with the proper safeguards built in, of course, is the only way in which Congress and the public will ever learn the truth about our energy situation. I hope that my colleagues will join me in cosponsorship of the Energy Information Act.

LETTING WILDERNESS PRESERVE ITSELF

HON. GILBERT GUDE

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 1974

Mr. GUDE. Mr. Speaker, on Friday, January 25, the Baltimore Sun ran a story by Peter A. Jay, who wrote convincingly on the importance of moving carefully, but decisively on preserving wilderness areas. Mr. Jay's comments center around a proposal to include some 8,000 acres of the Blackwater National Wildlife Refuge under the provisions of the Wilderness Act.

The major issue raised here is a vital one which deserves careful consideration, and it is the extent to which essentially wild lands ought to be "managed," if indeed they should be managed at all. The case surrounding the possible inclusion of the Blackwater Refuge under the Wilderness System well illustrates some of the problems involved. Mr. Jay's article goes into some of the issues, I include that article at this point in the RECORD:

LETTING WILDERNESS PRESERVE ITSELF

(By Peter A. Jay)

It is nearly 9 o'clock in the morning, but that is by Nixon time and it is still half dark. Out in the marshes that stretch away to where the horizon would be if one could see that far, and honking overhead hidden by the low rain clouds, are thousands of Canada geese.

Thirty years ago about 5,000 geese wintered here. Now there are nearly 100,000 in the refuge in the early winter. They have flourished because they have been "managed," to use the wildlife men's term. Their habitat, in these Dorchester county marshes and elsewhere, has been protected and expanded until they have reached vast numbers—and nuisance proportions, according to some Eastern Shore farmers.

Scientific management of wildlife is old in Europe but relatively new to the United States. It has had some notable successes—primarily with game birds, and animals, like the Canada goose and white-tailed deer—and some less publicized failures. Generally, management is accepted as a good thing; even those who believe we would do better to leave the creatures of the earth alone are a little chary about saying so openly.

There is a polite little confrontation now going on at this refuge between the managers and the anti-managers, and while the managers are pretty clearly going to win, the anti-managers make some interesting points that are worth at least passing attention by anyone concerned with the use of natural resources.

In accordance with the Wilderness Act of 1964, the Interior Department is now reviewing major roadless areas within the National Wildlife Refuge system to determine if they

should be classified and preserved as wilderness under the law. Most of these areas are in the West, but about 80 per cent of the Blackwater Refuge—over 8,000 acres of marsh and open water—is also being considered. It is the only potential wilderness in Maryland, at least for the purposes of the Interior Department.

What would wilderness status mean for these wild marshes? The managers, especially the Bureau of Sport Fisheries and Wildlife, but also a number of private conservation groups, say it would be undesirable because it would interfere with the management of the refuge.

Some 3,000 acres of marsh grass are burned annually, mainly to provide fresh green forage for the geese, and there is some question whether the Wilderness Act would allow this practice to continue.

The Interior people say the wilderness designation also might prevent the current extensive trapping of muskrat and nutria—the latter a South American rodent that was imported a number of years ago and has become both a considerable pest and a prime example of mistaken management. Some wilderness advocates say that the Wilderness Act is flexible enough to allow trapping and burning to continue.

For the most part, the debate over Blackwater has skirted the edges of the central management question—whether wild lands ought to be managed at all. At a recent public hearing here, nearly every witness praised the Bureau of Sport Fisheries and Wildlife's management of Blackwater. In these surroundings, with the spectacular abundance of waterfowl both visibly and audibly obvious, it was hard not to do so.

But the question still remains, and it underlies other debates—over whether roads should be built in parks, or foot-trails, or nothing; whether there should be hunting on public lands; whether Forest Service land should be timbered and grazed. How much should nature be managed, and for whom?

Here at Blackwater, the leaders of the wilderness faction, primarily the Wilderness Society and the Sierra Club, based their arguments not on the management issue but on the future security of the refuge.

Only as wilderness, they say, will the marshes be made safe once and for all from commercial development, mineral exploration or other abuse. They have a point. The Nixon administration has shown little interest in the refuge system, and when refuges and special interests collide, as has occurred in Alaska, the refuges tend to fall victim to the national interest as expressed in terms of bulldozers.

The Chesapeake Bay Foundation and other groups have questioned some of the management practices at Blackwater, especially the annual burning. Erosion is a critical problem at Blackwater and other low-lying parts of the Shore, and the burning may contribute to it, some conservationists suspect.

But no one has quite dared to suggest that it might be better in the long run to leave places like Blackwater both wild and unmanaged, even if it means fewer geese.

The managers have had some shiny successes. At Blackwater, ospreys and eagles and the Delmarva fox squirrel have a fighting chance at survival, because of man's intervention. But clear-cut forests, poisoned predators and overgrazed mountains, as well as the pestiferous nutria, have been brought to us in the name of management.

The suspicion lingers that perhaps we ought to let nature have a crack at running a few little corners of the earth herself.

Arguments favoring inclusion of Blackwater in the Wilderness are quite convincing. We must move carefully but decisively into these areas of wilderness

versus management before we lose too much. As Mr. Jay summarizes, there is a compelling logic to allowing nature to have a chance.

INTRODUCTION OF LEGISLATION ON THE PERCENTAGE DEPLETION ALLOWANCE: ATTACKING EXCESS DOMESTIC PROFITS IN THE OIL INDUSTRY

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 1974

Mr. VANIK. Mr. Speaker, confusion continues to spread in the media war between the oil industry and its critics. Misinformation and deception have destroyed the public's confidence in the industry and have seriously eroded the credibility of Government efforts to define the dimensions of our energy shortages. Thus far, much of the controversy has focused on the excess or windfall profits of the oil companies. Debate has become bogged down in technical arguments over what is "reasonable," what is "excess," what is an accurate gage of profitability, and so on. The only conclusion we can safely draw is that statistics can serve virtually any point you want to make.

All of this controversy has missed the essential point about oil company profits: The oil companies are paying little, if any, Federal income tax. This is because we have created, through our own misguided policies, a system of irrational, inefficient, and unproductive tax subsidies to the oil companies. The real excess profits are flowing through the gaping tax loopholes in our Internal Revenue Code.

These loopholes are widening. In 1972, I calculated that the top five oil companies paid effective rates of tax ranging from 2.7 percent to 5.3 percent. For the oil companies, a major escape from tax liabilities is the percentage depletion deduction. The deduction is computed at 22 percent of gross income from a producing property. Gross income is determined by the price at which a barrel of crude oil is sold times the number of barrels of oil produced. In recent weeks, this price has gone through the roof. As the price of domestic crude has spiraled upward, the value of the deduction to the oil companies has multiplied.

Under present price rulings, the Cost of Living Council controls the price of "old" oil at \$5.25 a barrel—that is a dollar over the December level. Much of this old oil, which accounts for 75 percent of our domestic supply, was discovered when costs were only a fraction of what they are today. At the same time, the Council exempted from price controls all new oil. Congress added to this exemption category all stripper wells—wells which produce less than 10 barrels a day. This oil which is decontrolled is now selling at over \$10 a barrel.

This price is unwarranted by the costs of production. It is, in short, a windfall to

producers. The Treasury Department has analyzed the situation as follows:

... suppose that a price of \$7 a barrel for crude oil would be sufficient after two or three years to induce increased supplies and to dampen demand, so the shortages would disappear. Such price would be the "long term supply price." If in the interim, the price goes to \$8 or \$9 a barrel, the excess of the \$8 or \$9 price over the long term supply price is a "windfall"—it is more than the price required to produce all that is in fact being supplied or is likely to be supplied in the next several years.

The difficulty with the administration's analysis is that nobody knows what the long-term supply price will be. The Treasury Department guesses \$7 a barrel. At this stage, it is anybody's guess.

But the essential fact remains: The oil producers of this country are taking the American people for a ride. As consumers, we are being forced to pay higher and higher prices. As taxpayers, we are being forced to subsidize the oil companies to a greater and greater extent.

This injustice must stop. Today I am introducing initial legislation which will establish some controls over the abuse of the depletion deduction. My proposal limits a company's depletion deduction to a base period oil price—it will prevent the multiplication of the depletion benefit as the price of oil soars.

Percentage depletion is a poorly conceived, open-ended subsidy. Under the present condition of skyrocketing crude prices, Congress is in danger of totally losing control. With the plan I propose, the value of the depletion deduction will not multiply as the price goes up and Treasury loss will be controlled. This legislation will enable Congress to harness the depletion deduction while we determine its fate.

We must not allow the present windfall profit dollars of the oil producers to turn into the great oil robbery of the U.S. Treasury.

JOHN TREMBLEY DAY

HON. JOHN J. DUNCAN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 1974

Mr. DUNCAN. Mr. Speaker, on January 26, 1974, "John Trembley Day" was celebrated at the University of Tennessee in Knoxville to honor one of the Nation's outstanding athletes. I want to bring this fine young swimmer to the attention of my colleagues and the American people.

John Trembley has been a tremendous asset to the University of Tennessee swimming program. While at the university he has not participated in a losing effort, and on many occasions has been the team's winning edge.

Trembley is coholder of the NCAA 50-yard freestyle record at 20:3 with Dave Edgar, also a UT varsity swimmer. He also won the 50-yard freestyle event at the conference championships in 1972. For the past 3 years, Trembley has been numbered among the All-America ranks.

In 1973, Trembley won five gold medals at the NCAA championship meet for the 50-yard freestyle at 20:3, the 100-yard freestyle at 45:0, the 100-yard fly at 48:4, the fly leg on the winning NCAA medley relay team, and the 400-yard freestyle relay as anchorman. This particular relay team set two consecutive American records, 3:01 in 1972 and 3:00 in 1973. Trembley is the first man in the history of the NCAA to win five gold medals, and he accomplished this feat last year at the golden anniversary of the NCAA championships.

Trembley has been lauded as the 1973 swimmer of the year by the Columbus Touchdown Club which annually recognizes the outstanding swimmer in America.

SELECT COMMITTEE ON COMMITTEES EFFORTS ARE HERALDED

HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 1974

Mr. HARRINGTON. Mr. Speaker, I wish to insert in the RECORD an article which appeared recently in the Los Angeles Times bringing to the public's attention the House Select Committee on Committees efforts to generate greater efficiency in the House committee system.

The Honorable RICHARD BOLLING, who chaired the committee and his fellow committee members assumed a difficult task in attacking many old, difficult and controversial problems of organization, heretofore unaddressed. Their efforts of this past year are to be commended.

I am pleased to see their work receive this attention.

The article follows:

[From the Los Angeles Times, Dec. 31, 1973]

HIGH TIME TO REVAMP THE HOUSE

Spheres of power in the House of Representatives that have existed for more than a quarter-century would be revised under a proposal drafted by the House Select Committee on Committees. After almost a year of study and debate, the committee has come forth with plans for wholesale revamping of the House committee network. It is high time.

Work loads would be distributed more logically and more equitably. Three panels would be abolished. Most members would be limited to service on one committee, which should reduce absenteeism because of schedule conflicts.

Perhaps the most drastic proposal would be the changes in the role of the Ways and Means Committee. Although originally set up to handle revenue-raising measures, Ways and Means now virtually dominates key legislative issues and has come under considerable criticism for its slow pace. It has no subcommittees, and it takes up only one subject at a time. Ways and Means would be stripped of control over foreign trade and most health insurance matters, but it would retain review power over trade and health bills and would also retain original jurisdiction over tax aspects of health insurance.

Foreign trade problems would be transferred to the Foreign Affairs Committee, which has a comparatively light work load for the simple reason that the Constitution leaves only a minor role for the House in foreign affairs. Congressional Quarterly re-

ports that in recent years Ways and Means has not looked regularly at foreign trade matters. The foreign affairs panel would be given jurisdiction over the Food for Peace program, which is primarily an instrument of foreign policy but is now administered by the Agriculture Committee.

The controversial Internal Security Committee would be eliminated and its duties transferred to the Judiciary Committee in the way such matters are handled in the Senate. Also slated for disbanding would be the Post Office and Civil Service Committee and the Merchant Marine and Fisheries Committee. It is argued that their work loads are too light to justify their continuance and that their duties can readily be absorbed by other groups; the argument makes sense.

The Public Works Committee would be renamed the Public Works and Transportation Committee, and would handle various transportation matters now scattered in several, and some unlikely, places. For example, mass transit is presently under the supervision of the Banking and Currency committee.

In addition to these jurisdictional and organizational changes the select committee made a useful procedural recommendation, urging that members of Congress meet in Washington in the weeks before formal opening of the session in order to dispose of organizational matters. In that way, members would be ready to get down to business as soon as the session is convened.

The Select Committee on Committees hopes to finish its work on the plan in time to have it ready for a floor vote before the Easter recess. Many of the proposals would improve the process of government. But the House should keep in mind that this is only part of the reform job. Of particular importance is the presently inadequate budgetary procedures, which should be pressed along with the committee changes.

YEAR-ROUND DAYLIGHT SAVING TIME QUESTIONED

HON. GARNER E. SHRIVER

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 1974

Mr. SHRIVER. Mr. Speaker, I would like to bring to the attention of the House the discontent I have noted among many of my constituents over enactment of the Daylight Saving Time Act of 1973.

The people of my district are perplexed that Congress only positive legislative action thus far with respect to the energy crisis is to adjust the clock. Nor is that concern founded alone in the conviction that moving the clock ahead an hour is a meaningless gesture. To a man, the anti-DST'ers agree on one vital point: The act was ill-conceived. It has created hardships and safety hazards immeasurably greater in magnitude than the benefits supposedly to be derived from it.

Instead of engendering a morale-building attitude of "let's tough it out together," the act has led our constituents to demand, "what's the matter with those people in Washington?"

The other day I received a letter from a 12-year-old Wichita girl, Kelly Malone. It expresses more poignantly than most the frustration, the confusion and the dissatisfaction of many in Kansas' Fourth District over the Daylight Saving Time Act. The letter follows:

CXX—79—Part 1

WICHITA, KANS.,
January 19, 1974.

HON. GARNER SHRIVER,
House of Representatives,
Washington, D.C.

DEAR SIR: I would like to ask why you turned the clocks ahead. I don't understand. I was going to contribute to my part, but now it would be very hard. I was going to walk to and from school when the weather permitted. Now at 7:15 in the morning it is too dark. It's too dangerous to walk.

I'm a 7th grader at Wilbur Jr. High. I live about 1 1/4 miles from school.

It is also very dangerous to walk because there isn't any good way to walk. I could walk across a field, but usually it's wet. Also I could walk on a street, but it's too easy to get hurt or killed.

Please answer my letter.

Sincerely,

KELLY MALONE.

INTERNATIONAL COORDINATION IN COMMODITY-RESOURCE POLICIES

HON. ORVAL HANSEN

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 1974

Mr. HANSEN of Idaho. Mr. Speaker, the Arab oil embargo has emphasized the critical impact of unilateral action on the international economic community. As the world community seeks solutions to the "petrocrisis," the temptation certainly exists for unilateral action to benefit individual economies. World economic stability demands that this temptation be resisted.

The President has wisely sought a joint effort to seek meaningful solutions to the oil problem by calling for meetings of petroleum consuming and producing nations to be held here in Washington, D.C., in early February. While the initial efforts of the participants must be dedicated to the current petroleum dilemma, consideration must be given to commodity-resource supply and demand problems that will develop in the expanding world economy.

I have written to the President urging the establishment of an international commission to develop an overview of supply-demand trends in commodities and resources, and to implement long-range policies based on this global perspective.

I insert my letter to the President in the CONGRESSIONAL RECORD, along with an article by Mr. Robert R. Bowie that appeared in the January 23 issue of the Christian Science Monitor. Mr. Bowie's thoughtful analysis of the economic implications of unilateral action underscores my own concern for developing an effective international mechanism to deal with long-range problems of supply and demand.

The articles follow:

JANUARY 23, 1974.

HON. RICHARD M. NIXON,
President of the United States,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: You are to be commended for the initiative you have taken to establish an international dialogue on the

energy crisis with the forthcoming Washington meetings of petroleum consuming countries and members of OPEC. I share your concern about the long-range international implications of economic imbalances resulting from disproportionate levels of supply and demand in key raw materials and food. The forthcoming Washington meetings will provide a basic forum for a meaningful discussion of the problems faced by the international community in this critical area, but effective long-range policy planning will depend on more than the interchange of ideas that may be achieved at these meetings.

What is clearly required is the establishment of a permanent international commission dedicated to the formulation of long-range international policies. Such a commission should also possess sufficient authority to encourage the implementation of the policies that are developed. Complex economic interrelationships demand an overview of international policies. What has been lacking in the international community is a well-developed sense of direction. Without it, individual countries proceed down self-created avenues of approach to growth that often conflict with the equally legitimate aspirations of another country. The resultant collision between objectives often traumatizes the entire economic world. We can ill afford many more of these traumas.

The wealth of administrative talent, research capability and technological knowledge we have in the world today should be coordinated to preclude the occurrence of any further commodity crises. The elements of international expertise are already available—coordination should be the next objective.

The momentum of international action to confront the energy crisis must be maintained and accelerated to promote the establishment of an administrative body capable of making balanced decisions on long-range world problems.

The necessity for a quick reaction to sudden crises, such as the energy problem, does not allow sufficient time to assess how short-term programs may affect future international developments. We can no longer afford a disjointed, unilateral perspective that embraces only our own domestic requirements. The short-range advantages that might be gained by such an approach would be quickly outweighed by international repercussions. Thus, I strongly urge you to promote the establishment of a high-level international agency that would address itself to the problems of international supply and demand and all related socio-economic and political functions. In such a commission, the United States could exercise the leadership it has pledged to the international community, and in doing so, provide the mechanism for the achievement of social and economic goals necessary for world stability.

Growing world economic interdependence, which your Administration has wisely encouraged, could provide the mechanism for implementation of policies developed by the international commission. The commission should also possess that degree of autonomy that would insulate it from the demands of temporary political expediency. As we have seen demonstrated in this country, many worthwhile recommendations and programs are rejected on the basis of political popularity rather than being judged on the basis of long-range merit. Policy decisions based on this level of perspective will result in a loss of flexibility to confront international problems as population and demand increase and resources are depleted. Complex international problems demand reason and foresight that is often lacking in political decisions. The proposed commission should possess the ability to launch an educative

effort in the world community to define the parameters of a developing problem and to diffuse sufficient information that will encourage meaningful dialogue and wise choices.

I would welcome the opportunity to discuss these ideas with you or Secretary Kissinger, and I am hopeful that your staff will explore the possibilities of such an international commission prior to the forthcoming round of Washington meetings.

Sincerely yours,

ORVAL HANSEN,
Member of Congress.

[From the Christian Science Monitor,
Jan. 23, 1974]

HANGING TOGETHER—OR SEPARATELY
(By Robert R. Bowie)

BRUSSELS.—The energy crisis could pose the gravest threat to the economic system of the non-Communist world since 1947-50. The economic problems, while complex and novel, can almost surely be handled if the interested states work together to solve them, and recognize their interdependence. Thus the greater challenge is to political leadership. And it comes at an unpromising time.

Public attention has focused primarily on the Arab oil cutback and the resulting shortages in supply. That action was, of course, a shock and its effect potentially disruptive, especially for Western Europe and Japan which depend so heavily on imported oil. In practice, however, the cutback was relaxed somewhat and may be ended before severe damage is done.

Far more serious is the tripling of oil prices at the end of 1973. The figures are staggering. For the advanced nations in the Organization of Economic Cooperation and Development (OECD) the oil imports will cost some \$50 billion more in 1974 than last year. And for the less developed countries, oil costs will jump by \$9 billion to \$10 billion—which will exceed total external assistance, and put in jeopardy the entire development program of many of them.

For the advanced nations the threat is different. The added costs are a serious burden, but can certainly be handled eventually. The greater danger arises from the impact on their balance of payments and the repercussions of their possible reactions. For Japan the added exchange costs could amount to nearly \$10 billion, and for Western Europe about \$30 billion. And this blow comes at a time when all are suffering from rapid inflation and concerned about a recession, and some, like Britain and Japan, already face large deficits in their balance of payments.

Conversely, for 1974 alone, the oil suppliers will be holding surplus funds of \$40 to \$50 billion, after allowing for probable spending for food, development, arms, and other purposes.

The consequences could be disastrous if the situation is not handled by cooperation. Avoiding disaster will require concerted action of various sorts:

First, the advanced nations will have to refrain from unilateral measures designed to improve their balance of payments at the expense of others. If each country tries to expand its exports or curtail imports by devaluing or by trade barriers, subsidies, and the like, it will trigger counteractions which will only disrupt trade and exchanges without meeting the real problems at all.

Second, the advanced nations will have to work out with the oil exporters orderly ways for managing their enormous surpluses. Perhaps the International Monetary Fund (IMF) can serve as a conduit to acquire and relend part of them to importing states to finance their deficits. Or maybe the OECD nations can revalue their gold reserves at current market prices and sell gold to the oil exporters. It should also be possible to assist some

of these oil suppliers to construct refineries and processing plants, and to invest in the advanced nations.

Third, the poorer oil importers among the developing countries will have to have special help. Perhaps the oil-rich states can be persuaded to lower the prices for such users, or to provide them with development assistance, or at least to channel funds to them through the World Bank or its affiliates.

Fourth, the oil imports should launch a large-scale cooperative program of research and development and exploration to develop new processes and sources of energy for the long run. A combined attack will be much more effective and less wasteful than uncoordinated and duplicating efforts.

The need for such cooperation has already been recognized—at least verbally. The OECD has warned against beggar-they-neighbor measures, the IMF committee of 20 urged joint action at its Rome meeting last week, and President Nixon has called a conference for Feb. 11.

Yet as I have said, conditions are far from ideal. Curiously, the problem may not lie mainly with the oil exporters. They may not be willing to reduce oil prices, as Secretary Shultz hopes, (though even that may not be excluded). But the key leaders in Saudi Arabia and Iran seem fully aware that disruption or depression in the advanced nations will also harm their economic and security interests.

The difficulties may come more from within the West itself. The first reaction of Japan, Britain, and France was to arrange bilateral deals for their national oil supply.

Last weekend, France floated the franc unilaterally, despite its obligations in the European Community. And the community itself is in extreme disarray, with little evidence of the community spirit anywhere.

Yet efforts to cope unilaterally with the present predicament will be futile and self-defeating. If political leaders can be gotten to look at the consequences of trying to do so, they may draw the proper conclusions and be jolted into taking the requisite actions together.

MACK TRUCKS CIVIC AWARD GIVEN TO ANDY KOROPCHAK

HON. ANGELO D. RONCALLO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 1974

Mr. RONCALLO of New York. Mr. Speaker, the Massapequa resident, who had a day proclaimed in his honor on June 19, 1971, by the town of Oyster Bay for outstanding participation in civic affairs, has been named a recipient by Mack Trucks, Inc., of its Civic Award for dedicated community service.

Mr. Koropchak, an "A" mechanic with the Queens branch of Mack Trucks, which he joined in 1946, was cited particularly for his work with Post No. 7763, Veterans of Foreign Wars, of Massapequa Park.

In a letter to Mr. Koropchak, Zenon C. R. Hansen, Mack chairman and chief executive officer of the truck manufacturing company, said:

This award is the most prestigious in our organization and was initiated in 1972. Your efforts in the civic activities in which you have been engaged in your locality are outstanding, and I offer my heartiest congratulations and best wishes. It is people like you, doing the things that you are doing, that indeed "make the difference."

The Civic Award, an inscribed plaque, was one of 17 made this year in the United States and Canada by the Allentown, Pa.,-based company. Eligible for the award are employees of the company, its subsidiaries, and authorized distributors.

Mr. Koropchak, who lives at 1132 Lakeshore Drive, was the VFW Post's "Man of the Year" in 1970 and its commander in 1971-72. He also is active in "Poppy Day" and is a three-time "Poppy Day" champion. Mr. Koropchak's active participation in community activities has projected him as a true citizen of the community who works for the interest of others rather than for himself.

ISRAELI SECURITY IN THE MIDDLE EAST

Hon. Yvonne Brathwaite Burke

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 1974

Mrs. BURKE of California. Mr. Speaker, as peace negotiations move forward in the Middle East, it is important to remember why at this critical juncture we must continue to help Israel. With peace hanging in the balance, serious discussions are now underway which could lead to a fair and durable settlement of this long-lasting conflict. Important progress has already been made with the recent announcement of troop disengagement at the Suez Canal.

But to negotiate a permanent peace, Israel must be able to maintain a military balance with the Arab States, and this requires our help. Members of Congress recognized this necessity with the introduction of the O'Neill-Yates resolution, which I cosponsored shortly after the outbreak of the recent war. The resolution provides:

Whereas the people of the United States deplore the outbreak of hostilities in the Middle East and earnestly hope that peace may be negotiated in that area; and

Whereas the President is supporting a strong and secure Israel as essential to the interests of the United States; and

Whereas the armed forces of Egypt and Syria launched an attack against Israel shattering the 1967 ceasefire; and

Whereas Israel refrained from acting preemptively in its own defense; and

Whereas the Soviet Union, having heavily armed the Arab countries with the equipment needed to start this war, is continuing a massive airlift of sophisticated military equipment to Egypt and Syria; and

Whereas Public Law 91-441 as extended authorizes the President to transfer to Israel by credit sale such arms as may be needed to enable Israel to defend itself: Therefore, be it Resolved, That it is the sense of the House that the President, acting in accordance with the announced policy of the United States to maintain Israel's deterrent strength, and under existing authority, should continue to transfer to Israel the Phantom aircraft and other equipment in the quantities needed by Israel to repel the attack and to offset the military equipment and supplies furnished to the Arab States by the Soviet Union.

The Soviet Union continues to supply large amounts of sophisticated weaponry

to the Arabs. Israel can get comparable weapons only from the United States. Thus far, she has paid in cash or credit for all her American arms. But Israel has suffered tremendous war losses which has put a heavy strain on her economy and she needs our continued assistance.

The recently passed Emergency Security Assistance Act of 1973 authorizes \$2.2 billion in emergency assistance to Israel. For the first time in recent history, Israel would be allowed to receive direct grants of aid which need not be repaid or taken on credit. Israel has already bought nearly \$1 billion worth of arms from this country since the outbreak of the October war. These shipments of replacement weapons have restored Israel's relative military strength to that which existed before the war, and they have enabled her to negotiate on an equal basis with the Arab countries. The Emergency Assistance Act would in effect authorize payment for the \$1 billion worth of arms already sent and for those additional shipments which might be necessary for her future security.

Our assistance will help insure the survival of Israel. It will also create a more stable environment in which serious peace negotiations can take place. If a permanent settlement is achieved, which I am hopeful can take place, then our assistance will be a small price to pay for the fruits which peace will bring to the United States, to the Middle East, and to the world.

NORTHWEST IOWA ALCOHOLISM AND DRUG TREATMENT UNIT'S ANNUAL REPORT FOR YEAR 1973

HON. WILEY MAYNE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 1974

Mr. MAYNE. Mr. Speaker, when the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment, and Rehabilitation Act Amendments of 1974, H.R. 11387, was before the House on January 21, 1974, I spoke at length in support of this legislation which passed the House by a record vote of 338 yeas to 22 nays.

In my remarks, I described the great progress made by many Iowa State, county, and local officials and agencies and by Iowa voluntary agencies and individuals in the prevention, treatment, and rehabilitation of alcoholism, especially in my Sixth Congressional District in northwest Iowa. As an outstanding example of these programs, I described the Northwest Iowa Alcohol and Drug Treatment Unit at Spencer, Iowa, under the very able directorship of Jeff Voskans, and I inserted in my remarks the 1972 report of this unit, the latest report then available to me.

The Northwest Iowa Alcohol and Drug Treatment Unit at Spencer has now prepared its annual report of year 1973, and director Jeff Voskans has thoughtfully forwarded a copy to me. In view of the wide interest in the unit's programs, I request unanimous consent that this

report be set forth at this point in the RECORD, as follows:

NORTHWEST IOWA ALCOHOLISM AND DRUG TREATMENT UNIT'S ANNUAL REPORT FOR YEAR 1973

During the year 1973 Northwest Iowa Alcohol and Drug Treatment Unit combining both disciplines alcohol and drugs processed a total of 505 clients. Activity breakdown for the alcohol clients consists of the following:

There were 398 male clients active in program and 61 female clients combining total 459 for the treatment of alcoholism.

Drug phase of the programming in Treatment Unit processed 46 individuals during the year of 1973, that is 33 males and 13 females. In providing a comprehensive care and treatment for all individuals seeking services at ADTU, the following services were carried out for the alcoholism clientele:

ADTU staff provided 1,667 individual counseling hours on outpatient basis. 613 individuals participated in group therapy during the year of 1973. ADTU staff appeared in the courts 47 times during the year representing clients or assisting clients in various capacities and needs. In addition to these services, ADTU staff initiated 175 initial contacts out in the field with the potential clientele. Out of 459 clients enrolled in the alcoholism program, 61 individuals underwent inpatient care or hospitalization at the local hospitals throughout 7 county area. ADTU field staff provided 451 counseling hours in the field plus conducted 1,602 follow-up services or sessions with individuals involved in the program. Adjacent to the initial contacts, there were also 108 pre-intakes which have taken place thus enrolling these individuals in active program.

Other services delivered consisted of pastoral counseling where 59 individuals underwent this phase of program. 127 medical examinations were provided on outpatient basis by Treatment Unit's medical director. 90 diagnostic evaluations were provided by Unit psychiatrist. ADTU staff actively engaged and placed 27 individuals on new jobs or reinstated to previous employment.

In addition to these services ADTU also provided a family field assessment care and in this phase of the program 147 families were involved during the year 1973 for various needs. A specialized phase of the program, Court Education Classes for individuals who are under age or minors, were conducted at ADTU Center here in Spencer. 274 persons attended these classes during the year.

In other alcohol activities Northwest Iowa ADTU staff provided 102 speaking engagements of various kinds and distributed 1,755 pieces of literature. A total attendance for 102 education sessions had an audience of 4,168. 3,056 informative telephone sessions with potential clients or interested parties did transpire during the year of 1973.

Drug programming provided following services in 1973: Outpatient care constituted 203 counseling hours, 33 initial field contacts, 11 medical examinations, 14 diagnostic evaluations, 2 individuals underwent inpatient hospitalization. 6 individuals were involved in pastoral counseling. Field activities incorporate 144 follow-ups, 28 pre-intakes, and 54 field counseling sessions.

Clients involved in drug treatment program are subjected to urinalysis on a weekly basis and as a result of this effort 36 individuals were involved in urinalysis program.

In 1973 following clients came from the following counties:

Buena Vista County, 86.
Clay County, 131.
Dickinson County, 70.
Emmet County, 68.
O'Brien County, 65.
Osceola County, 26.
Palo Alto County, 52.

Individuals from other counties or transients constituted 7 clients. Total caseload

for Alcohol and Drug Treatment Unit was combined of 505 individuals in the total programming.

Northwest Iowa Alcohol and Drug Treatment Unit during the year of 1973 spent \$143,972.52 for total services. The monies for this total expenditure came from the following sources: Federal grant from National Institute of Alcohol and Alcoholism Abuse, \$88,061.00. Iowa State Commission on Alcoholism \$9,125.02. Iowa State Alcoholism Authority (OPP) \$7,201.97. Liquor funds from municipal governments \$15,345.56. Counties paid \$9,728.66. Some individuals undergoing inpatient care did subscribe to their own third party payment or insurance policy thus paying for the treatment and care \$3,365.38.

Drug Treatment Unit's expenditure constituted the following: Iowa Drug Abuse Authority contributed \$1,556.41. Cherokee Mental Health Institute contractual agreement from the Federal Grant \$6,992.03. Thus the total expenditure for the drug program was \$8,548.44.

Taking a combined figure of \$143,972.52 and applying it to the total client number with all elements of services constitute \$280 to \$285 expenditure per client. This is a comparatively small sum of money that is being spent for restoring an individual to a new way of life.

Northwest Iowa Alcohol and Drug Treatment Unit's staff conducted a total full year's follow-up on individuals who have gone through the program starting in 1972 and ending in 1973. This special follow-up conducted indicated that the recovery rate is 63% and this figure is double the national average and is something that one unit or a community should be proud of.

In other services provided by ADTU in the year of 1973 Northwest Iowa Alcohol and Drug Treatment Unit conducted its fourth annual summer school at Buena Vista College. In 1973 there were 90 individuals enrolled in summer school. Some individuals came as far as the State of Maine and a number of people were enrolled from adjacent states such as Nebraska, Wisconsin, Illinois and others.

BAN THE HANDGUN—XV

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 1974

Mr. BINGHAM. Mr. Speaker, on January 28 four people were shot to death and a fifth critically wounded on the streets of San Francisco. Fear grips that city today as a massive manhunt attempts to capture the madman or men responsible. Strict Federal controls on the purchase and possession of guns is one way to reduce the chance of being shot, the alternative is staying indoors.

Reprinted herewith is an article from the January 29, edition of the Washington Star News:

SHOTS KILL FOUR IN CALIFORNIA

SAN FRANCISCO.—Four persons have been shot to death in four different locations in San Francisco and all available police units were put on alert. A fifth person was seriously wounded.

A police spokesman said the killings occurred between 8 p.m. and 10:15 p.m. yesterday and "all were killed with the same type weapon."

"You better bet we've got all our units out," he said.

Three men and one woman were killed and a second woman was "barely hanging on," the spokesman said.

ENERGY CRISIS

HON. JAMES W. SYMINGTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 1974

Mr. SYMINGTON. Mr. Speaker, in light of the very limited data now available on oil reserves and companies' profits, it is appropriate to review the proposed Energy Conservation Act. Moreover, the Nation should recognize that those concerned about the environment are not to blame for our energy difficulties. On this point, I call to the attention of the public and my colleagues three excellent articles detailing the country's urgent need for both clean air and clean energy.

The first item is a KMOX-TV editorial urging that clean air laws be maintained; the second article is a New York Times editorial on the energy conservation bill; the third is James Noone's account of that same legislation.

The articles follow:

AIR POLLUTION: MAINTAIN THE CONTROLS

Some businessmen around the nation are talking about reducing air pollution standards in the face of the energy crisis. We are afraid many have jumped on this bandwagon without some forethought as to the long range implications of such reductions.

Automobile manufacturers claim that if all the pollution devices were removed from the family car there would be an increase in mileage. We don't doubt this claim, but wonder if we're not sacrificing our health and well-being in the process.

The lack of petroleum is also inspiring many to call for the burning of sulphur laden coal in some parts of the country. Granted this will provide more energy, but it also will dramatically increase air pollution and could do as much damage as the lowering of industrial output.

Some even go so far as to pin the cause for the energy crisis on conservationists. These people claim that ecologists, who opposed the building of the Alaska pipeline and expansion of off-shore drilling, are the real culprits. This is plain bunk.

We think it's important to keep air and water quality standards in mind when talking about the energy crisis. What many seem to forget is that shortages in fuel will cause only temporary discomforts, but damage to the environment may be permanent.

[From the New York Times, January 23, 1974]

ENERGY BILL? . . . OR DIRTY AIR BILL?

The emergency energy bill, stalemated in Congress last month just before the adjournment of the first session and now pending in the Senate, reflects neither a coherent Administration strategy nor careful consideration by committees of the House and Senate.

On the contrary, the bill was born out of an unseemly competition between the White House and Congress, each trying to escape the brunt of public resentment for the sudden oil shortage.

Three of the items originally included in this legislative smorgasbord hurriedly set out by the President have been cleared away. Separate bills authorized year-round daylight saving time and the 55-miles-an-hour speed limit. The Senate has authorized private exploitation of the Navy's oil reserve, and early House approval of that dubious resolution is now expected.

In addition to giving the President stand-by authority to impose gasoline rationing the bill includes a few other miscellaneous

items. It authorizes the President to devise energy conservation programs but ties his hands in such a way that he cannot put any of them into effect without further Congressional action.

There is also a sliding-scale excise tax on crude oil that for public relations reasons the President insists on calling a "windfall profits tax" when it is nothing of the kind. What is really needed is an honest reform of the oil depletion allowance and of the favorable tax treatment now given the payments that oil companies make to foreign countries.

The pending energy bill permits the postponement of strict auto emission standards for yet another year. Because of the controversy among Detroit's "big three" automobile manufacturers about catalytic converters to control those emissions, much publicity has naturally focused on this part of the bill.

Overlooked and potentially more significant is the bill's provision that would permit the Federal Energy Office to compel electric power companies and other industries to switch from oil or gas back to the use of coal—and would compel the Environmental Protection Agency to exempt such firms from clean air standards for the next five years.

The worst victims of this indiscriminate rush to coal conversion would be the people in the New York-New Jersey area and their neighbors in the eastern air corridor running from Boston to Baltimore. The Federal Power Commission has already listed 46 power plants in this corridor that have the capability of converting from oil to coal within sixty days.

If these power plants and other industrial firms, irrespective of location, all switch to the use of coal, the danger to concentrated populations will be severe. The American Public Health Association has estimated that such conversion will lead to "an increase of 20 per cent to 40 per cent in both morbidity and mortality due to respiratory and cardiovascular diseases."

The truth is that no one is yet certain that this flight from the standards of the Clean Air Act is necessary. Senator Henry Jackson of Washington, the principal author of the pending energy bill, began public hearings this week on the scope and character of the oil shortage. In opening the hearings, he stated: "The facts are—we do not have the facts." Senator Jackson pointed out that his committee has discovered discrepancies between Federal and oil company statistics—"so significant as to raise fundamental questions whether existing data systems provide any rational basis for policy making."

Against the background of this factual confusion, Senator Jackson and his colleagues would do better to lay aside the emergency energy bill, at least in its present form, and concentrate first on finding out the facts about the emergency. Disease-laden air, smoggy with coal dust, is a high price to pay for political haste and competitive headline-grabbing between White House and Congress.

ENVIRONMENT REPORT/EMERGENCY ENERGY BILL WILL DELAY TIMETABLE OF CLEAN AIR ACT

(By James A. Noone)

Exactly three years ago, when the environmental protection movement was reaching full bloom, Congress was putting the finishing touches on landmark legislation designed to clean up the nation's air by the mid-1970s.

In an emergency energy bill destined for the President's desk at Christmastime this year, Congress is retreating from that commitment.

As a result of action by the House and Senate to deal with fuel shortages, achievement of the goals set forth in the Clean Air Act of 1970 (84 Stat. 1676) is likely to be delayed into the next decade.

Progression: President Nixon indicated publicly for the first time on Nov. 7—in his energy message to the nation—that his Administration would countenance retreat from environmental goals during the energy crisis. He called for "an appropriate balancing of our environmental interests with our energy requirements."

Environmentalists were quick to criticize the President for language that seemed to rank energy "requirements" ahead of environmental "interests."

Two days later, Sen. Edmund S. Muskie, D-Maine, chairman of the Public Works Air and Water Pollution Subcommittee and chief architect and defender of the Clean Air Act, proposed legislation granting industrial plants and other stationary sources of pollution wholesale variances from state or federal emission limitations between now and next May 15. Also, suspensions would be granted after May 15 when applicants produced a plan showing how compliance with federal standards could be achieved by July 1, 1977.

The National Energy Emergency Act (S. 2589) passed by the Senate on Nov. 19 contained the Muskie amendment almost in total, except that immediate variances could extend until Aug. 15, 1974.

Environmentalists, already unhappy with what they considered an unnecessary intrusion into the Clean Air Act by the Senate bill, received a more devastating setback during House consideration of its version of the emergency energy bill (HR 11450).

The bill, as ordered reported by the Interstate and Foreign Commerce Committee on Dec. 7, went further than the Senate bill in attacking the Clean Air Act.

The committee changed the date for coming into compliance with air standards for stationary sources from 1977 to 1979.

As a quid pro quo, environmentalists gained explicit assurance in the bill that primary air quality standards—those designed to protect human health—would not be violated. This subject was not addressed in the Senate version.

More important, however, was action by the committee to open up other sections of the Clean Air Act—sections that were not conclusively demonstrated to have a bearing on the energy dilemma.

The action extended the Environmental Protection Agency's (EPA) already-promulgated interim auto emission standards for 1975 model cars through 1976. The final version of the bill, passed by the House on Dec. 14, froze the interim standards for "two years—through 1977."

The Senate had not considered auto emissions in its emergency bill. Environmentalists had argued that the issue was so complex and far-reaching that it should not be part of emergency legislation, and that the issue was not germane because it was not clear that any action on auto emissions would result in short-term fuel savings.

However, in a move to strengthen the bargaining position of its conferees, the Senate on Dec. 17—the first day of the energy bill conference—passed a one-year extension of the interim 1975 standards by a 85-0 vote. The legislation was passed as a separate amendment to the Clean Air Act.

PATTERNS

During protracted markup sessions in the House Commerce Committee—more than 125 amendments were considered during seven working days—and during floor considerations, two trends emerged:

The White House consistently refused to consult with EPA prior to recommending less stringent air pollution control standards than those favored by the environmental agency.

The depth of congressional discontent with the Clean Air Act and EPA's enforcement of it became clear, in the first exten-

sive floor debate on the measure since it was passed three years ago.

End run

On three occasions during House Commerce Committee debate on the bill, the White House made an end run around EPA, neglecting to consult with the environmental agency on recommendations related to air pollution standards.

The first two of those instances involved the Administration's old energy team—former Energy Policy Office head John A. Love and his top assistant, Charles J. DiBona.

During the last week in November, the Energy Policy Office asked the House Commerce Committee to extend the interim 1975 auto emission standards through 1977 and to set less environmentally stringent limits on stationary source pollution. EPA was not asked for input on either of the recommendations.

At a hearing before the Commerce Public Health and Environment Subcommittee of Rep. Paul G. Rogers, D-Fla., on Dec. 5, John C. Sawhill, deputy administrator of the new Federal Energy Office, again advised that the interim 1975 standards be frozen through 1977. Once more, EPA was not consulted in advance.

Sawhill also said a study should be made of the possibility of holding the standards at their 1974 level.

Two days earlier, EPA Administrator Russell E. Train had told the subcommittee that the standards should not be changed in any way.

Following his prepared statement, Sawhill was asked whether EPA had a voice in the White House decision to seek an extension on the auto emissions. Sawhill replied that EPA had been "advised" of the White House position.

EPA officials, already incensed by the White House bypass the week before, were even more irritated by Sawhill's testimony.

"We've checked around," said one EPA official, "and the only person we can think of that may have been 'advised' by the White House is one of our janitors."

On a more serious note, he added, "We're very concerned with Sawhill's testimony. We didn't see it at all, and this was just two days after Train's testimony on the same subject before the same subcommittee was cleared with OMB. It's not as if we've been taking shots out of the fold; we've tried to be a team player."

In a "Dear Paul" letter to Rogers on the same day as Sawhill's testimony, Train refuted several of the technical points made by Sawhill.

"I believe the most orderly approach would be to make such a decision in late spring," he said, referring to the auto emissions issue. "At that time, we will have available far more data on fuel economy from catalyst-equipped cars than we have today."

Discontent

The three-day floor debate preceding the passage of the bill shortly before 2 a.m. on Dec. 15 was characterized by disenchantment with the Clean Air Act and its guardian agency.

"If we want to do something to really help meet this gasoline shortage and this oil shortage in this country, we should end the overkill in the current Clean Air Act requirements by ending, at least during this petroleum shortage, emission controls that defy both common sense and responsibility in this country," said Louis C. Wyman, R-N.H., during floor debate on Dec. 14.

Much of the acrimony concerning EPA surfaced during consideration of a Wyman amendment that would have suspended all auto emission controls imposed under the Clean Air Act until Jan. 1, 1977, except in a certain few designated regions.

Wyman argued that 95 per cent of the country has no auto-related air pollution, but that residents of those areas are forced to pay penalties of up to 20 per cent in fuel economy as a result of emission-control devices.

The amendment was defeated, but the vote was a surprisingly narrow 180-210.

Rep. James W. Symington, D-Mo., a member of the Commerce Committee and one of the Clean Air Act's most ardent defenders during committee and floor action, said floor debate on auto emissions "took little notice of the fact that emission controls are only a small part of the total burden on fuel consumption."

He said, "If Congress is going to take action to reduce emission controls, they ought to take action to reduce the weight, and the effect of, automatic transmissions, air conditioners and other factors that increase fuel consumption."

"Instead," he said in an interview, "the whole tenor of the debate made the Clean Air Act out to be the whipping boy."

Despite the defeat of the Wyman amendment, Clean Air Act foes got in their licks.

The extension of 1976 of the interim 1975 auto standards was moved to 1977 on an amendment by Rep. James F. Hastings, R-N.Y.

Hastings, in an interview, said he prepared the amendment independent of the Administration, but added that the White House and Office of Management and Budget had sent a similar proposal to Capitol Hill.

He said the Wyman amendment would have "emasculated" the Clean Air Act. "I got my amendment as a compromise," he said.

The final version of the bill also prohibits EPA from implementing such traffic control methods as parking surcharges, abolition of parking spaces and designation of highway lanes for exclusive use by car pools and buses without new legislation to approve the steps.

PRESSURES

Just before and during its markup sessions, which ran as late as 10:30 p.m., members of the House Commerce Committee received pressure on environmental issues from a wider range of lobbying interests.

The coal and electric power industries concentrated their efforts on provisions dealing with stationary source emissions, specifically those designed to facilitate pollution-control variances to allow oil-fired electric power plants to switch to coal.

The industries, represented chiefly by officials from the National Coal Association and the National Association of Electric Companies, argued that unless these variances were granted for a period of several years, no economic incentives would exist either to convert the plants or to increase coal production.

However, the lobbying was most intense on the auto emissions provisions where a wide variety of interests—excluded from the Senate bill—worked hard to be included in the House version.

Strategies: The decision by Rogers' subcommittee to include auto emissions as part of the bill upset Rogers' own strategy and that of Muskie for holding off major amendments to the Clean Air Act this year.

The pressure for changes began to build early in the summer when EPA started promulgating transportation control plans for 31 metropolitan areas.

As it became apparent that the EPA plans would result in a drastic reduction of automobile use in some of the nation's largest cities, Members of Congress began hearing from distressed constituents protesting the potential change in their lifestyles.

Muskie

On June 29, Muskie announced that his staff was beginning a reevaluation of the implications of the Clean Air Act. Part of this

would be a review by the National Academy of Sciences of the validity of the health data that supports the act's standards.

In the meantime, it was the strategy of Muskie and his staff to use the study as a delaying tactic to thwart any serious challenges to the act.

On Nov. 28, in response to repeated requests of the auto companies for some kind of action, the Public Works Committee voted 11-3 to extend the interim 1975 standards through 1976. But the committee decided to offer the proposal as an amendment to the Clean Air Act next year. The amendment covered only hydrocarbons and carbon monoxide; the committee said it would need more time to consider nitrogen oxide emissions and scheduled hearings next year. Muskie was one of the three who opposed the extension.

The Public Works Committee was forced to alter its game plan this month when the House approved the two-year extension.

Muskie and committee chairman Jennings Randolph, D-W. Va., arranged to get the Public Works amendment to the Senate floor on Dec. 17, just as conferees were beginning to write final language for the emergency bill. (Muskie, Randolph and Sen. Howard H. Baker Jr., R-Tenn., were all named conferees on the energy bill.)

Muskie introduced the amendment, the passage of which gave the Senate energy bill conferees the bargaining position that they had lacked. As the Senate approved the Muskie amendment, it also defeated, 19-67, a proposal by Sen. William Lloyd Scott, R-Va., to extend the standards through 1977.

Rogers

The House Public Health and Environment Subcommittee chairman, Rogers, who was instrumental in passage of the Clean Air Act, also had hoped to put off amendments to the law until next year. His subcommittee held comprehensive oversight hearings this fall as a way of temporarily responding to demands for Clean Air Act revisions.

When it was disclosed that the Commerce Committee would have jurisdiction over the emergency energy bill, Rogers came under fire to include an auto emissions amendment as part of the emergency energy bill.

"We were under pressure from all over," he said in an interview. "It was clear someone was going to offer it as an amendment."

Due to committee structures and jurisdiction, Rogers and the full Commerce Committee chairman, Rep. Harley O. Staggers, D-W. Va., were more open to pressure to have auto emissions in the bill than were Muskie and Sen. Henry M. Jackson, Senate Interior and Insular Affairs Committee chairman.

Muskie's Public Works subcommittee has jurisdiction over air pollution, but not over the emergency bill, which Jackson's committee handled. Rogers' subcommittee not only has Clean Air Act jurisdiction, but is part of the full committee that considered the energy bill.

Rogers said he "would have been just as willing to spend some more time" on auto emissions and not make them part of the emergency bill.

An assistant, who spoke on a not-for-attribution basis, said, "We got swept into it. The Administration and others were pushing for an amendment on emissions, so we figured the best thing we could do was to go on the offensive."

Rogers' decision was to recommend to the House a one-year extension in emission deadlines. But unlike Muskie in the Senate, he was not able to make that position stick, and the full House voted a two-year extension.

Interests: The in-fighting and debate over the proposed auto emissions extension indicated the complexity of the issues and the

wide range of competing interests that faced the law makers.

Auto manufacturers have been pleading with Congress to make a decision by the end of this year on auto emissions, so Detroit could decide whether or not to install catalytic converters on its 1976 model year cars.

A decision to freeze the standards at the interim 1975 level (or to continue on the current, tougher schedule favored by EPA) would mean that the 1976 models would have to be equipped with catalytic converters. On the other hand, a decision to freeze standards at the 1974 level would mean that the converters would not have to be used.

Companies that make catalysts were lobbying for an extension at the interim 1975 level. "It's the catalyst people and us against the rest of them on this one," said one environmentalist, who, with his colleagues, was attempting to ward off any substantive amendment to the Clean Air Act.

Since catalysts require unleaded gas, firms that manufacture lead additives were seeking a freeze at the 1974 emission levels, which do not require catalysts.

And since it takes more oil to make a gallon of unleaded gasoline than it does to make a gallon of leaded gasoline, the oil industry campaigned for the 1974 standards on the grounds that it would enable the country to save fuel.

The Administration through Love, and later Sawhill, had asked for a two-year freeze at the interim 1975 levels.

However, during the open markup sessions of the Commerce Committee and at an unusual open markup meeting of Rogers' subcommittee on the auto emissions amendment, no representatives of the energy office were to be seen.

But in attendance were several officials of EPA, who wanted no change at all.

"It was really a fascinating thing," said one environmental lobbyist. "No one really knew who was speaking for the Administration."

Subcommittee

During a supper recess of the full Commerce Committee, Rogers' subcommittee met at 7:15 p.m. on Dec. 6 to vote on an auto emission amendment to recommend to its parent body, scheduled to reconvene at 7:30. It was the second such meeting in two days.

"I've never heard so much conflicting testimony on any subject in my life," said an exasperated Rep. H. John Heinz III, R-Pa., referring to the three days of hearings the subcommittee conducted during the full committee markups on Dec. 3, 4 and 5 and the more extensive hearings in the fall.

After some entreating by Rogers, the subcommittee voted 9-1 to approve an amendment extending the interim 1975 standards for hydrocarbons and carbon monoxide through 1976. The EPA administrator was given the option of extending them another year.

For nitrogen oxide emissions, the present requirement of 3.1 grams per mile (gpm) would be frozen through the 1976 model year. The 1977 requirement would be 2.0 gpm, which under the present schedule would have had to be met by 1976 autos. The EPA administrator was authorized to grant five one-year suspensions up until the 1983 model year, on a year-by-year basis, for nitrogen oxides.

Opposing the Rogers' amendment was Rep. William H. Hudnutt III, R-Ind. Rep. David E. Satterfield III, D-Va., did not vote and said he would offer an amendment in full committee to freeze the standards at the 1974 level.

Full committee

The markup sessions of the full committee, particularly on Dec. 6 and 7 when time constraints severely limited debate, were busy with amendments as lobbyists jockeyed for legislative positions.

"I think I'm sitting in the midst of a blizzard here," said Rep. John D. Dingell, D-Mich., during one particularly hectic stretch of the final markup session. "Every time I look up someone's handling me an amendment that's not even being considered."

At its night meeting on Dec. 6, the committee adopted the Rogers' amendment on auto emissions by voice vote after defeating, 12-22, a Satterfield amendment to freeze the standards at the 1974 level. It also turned back an amendment by Rep. James Harvey, R-Mich., to hold the interim 1975 standards through 1977 by a 16-19 vote.

On the next day, Staggers successfully offered an amendment that would allow power plants to burn coal until 1980 if they switched from oil. (Staggers' congressional district includes large deposits of low-sulfur coal.)

The Staggers amendment did not soothe the coal interests. National Coal Association president Carl E. Bagge said in an interview that the industry needs a commitment in the range of 20 years or assurances that coal will be used for as long as it is more readily available than gas or oil.

The committee also accepted on voice vote apparently contradicting amendments on stationary sources, one by Rep. John M. Murphy, D-N.Y., to allow power companies to use "intermittent controls" such as high smokestacks and the burning of high-sulfur fuels on windy days, and one by Symington, which would have allowed variances to be granted until 1979 but which prohibited violation of primary ambient air quality standards.

The final version, hammered out by committee lawyers and aides to individual members after the bill was ordered reported, still allowed the use of intermittent controls for long-term variances. Symington, who feared that such measures would permit unacceptable levels of pollution, tried unsuccessfully to change the language on the floor.

The provision to halt EPA parking surcharges came from Rogers' subcommittee and passed the full committee on voice vote. Rogers said pressure for the measure came particularly from the California and Texas delegations, whose constituents were particularly affected by EPA proposals "In California, they were planning to hold some shopping centers to 50 parking spaces," Rogers said in an interview.

Auto industry

The major automobile manufacturers have been divided on their approach to the use of catalysts, and they also were splintered in their reaction to the committee's decision to include provisions on auto emissions in the emergency bill.

William C. Chapman, manager of General Motors Corp.'s technical liaison group, said the committee acted responsibly. GM has made a public commitment to the use of catalysts in its 1975 models and has testified that catalysts can result in a fuel savings of up to 13 per cent.

Chapman and GM prefers to see a decision made by the end of the year on the matter, whether or not that decision is done as part of the bill that finally emerges from the House-Senate conference.

Ford Motor Co., which has said it will install catalysts on about 65 per cent of its 1975 cars, had favored freezing the 1974 standards for two years.

Wayne H. Smithey, director of Ford's office of national affairs, said that because of the pressing nature of the industry's timetable, it "seems the best way to get that" would be to have auto emission language similar to that voted by the House committee included in the emergency bill.

Both Ford and Chrysler Corp. had testified that any fuel savings gained through use of catalysts—Ford said a 1 to 4 per cent saving could result while Chrysler said there might

be a loss—would be offset by the additional amounts of oil needed to produce unleaded gas.

Even after the House committee vote to include auto emissions in the emergency bill, Chrysler was sticking to its position that there should be a freeze on the 1974 standards.

A spokesman for Chrysler, which has been the most adamant of the major manufacturers in opposing the use of catalysts, said the Commerce Committee decision to include auto emissions has not changed his company's position.

"We haven't come off that position at all," he said. Asked whether Chrysler would prefer to go with the House version or to ignore the auto emissions completely, as the Senate bill does, he said: "We haven't made that choice; we're still for the 1974 standards."

Oil

The American Petroleum Institute, whose membership includes the giant oil companies, favored extension of the 1974 standards and was critical of the decision to extend them at the interim 1975 level.

"If they had taken that vote three weeks from now, there would have been a different result," said Arne E. Gubrud, API's director of environmental affairs, in reference to the committee's decision on the interim 1975 extension. "I don't think most people realize how serious the oil situation is."

"One of the points that escaped attention during the recent hearings was that we're going to have a reduction in gas consumption anyway due to shifts in refinery production, the lowering of speed limits and things like that. Along with this will be a corresponding reduction in emissions."

"But by going from the 1974 standard to the interim 1975 standard, you only achieve a 1 per cent drop in emissions. And at the same time you use more oil in making unleaded gasoline for catalysts."

Gubrud said API's calculations indicate a fuel economy of about 3 per cent from use of catalysts, adding that this would not offset losses accruing from the requirement to produce unleaded gas.

A spokesman for Gulf Oil Corp. said that EPA regulations, promulgated on Nov. 28, mandating a phase-down over the next five years of the amount of lead in gasoline, would "really hurt us" when combined with the need to produce unleaded gasoline for catalysts.

The EPA limitations, designed to protect public health, require a 60 per cent to 65 per cent reduction of the lead content in gasoline, bringing the level down to .5 gram per gallon by Jan. 1, 1979.

EPA has estimated that it will cost the oil industry some \$75 million for stocks, operating and capital costs at the refinery to finance the phase-down process.

Lead additive firms

Ethyl Corp., world's largest producer of lead additive products, had lobbied hard to have the emission standards frozen at the 1974 level.

Howard E. Hesselberg, Ethyl vice president and director of air conservation, said that the use of catalysts and the EPA phase-down "will, if they run their course, have a serious impact on the availability of crude oil."

Hesselberg said Ethyl "conservatively" estimates that it will take 1 per cent to 2 per cent more crude oil to produce a gallon of nonleaded gasoline over the same amount of typical leaded gas. He also said it will require 0.5 per cent to 1 per cent more crude to achieve the 1.7 grams per gallon level mandated by EPA for Jan. 1, 1975.

"We firmly believe that catalysts have some problems and that the auto industry will develop a high-compression engine that will achieve emission standards by using leaded gasoline," Hesselberg said.

Ethyl has been working with Chrysler on a "lean reactor" type of high-compression engine, utilizing leaded gas.

On Dec. 6 Ethyl filed suit in the U.S. Circuit Court of Appeals for the District of Columbia to have the phase-down regulations set aside. The firm charged that EPA did not substantiate its claims that use of lead anti-knock compounds will endanger public health.

Championing the position of lead compound manufacturers on the House Commerce Committee has been Rep. Satterfield, whose district includes Ethyl's corporate headquarters in Richmond, Va.

In an interview, Satterfield said he sought to have the auto standards frozen at the 1974 levels in order to give the auto industry more lead time for research and planning, as much as for any other reason.

He said the tradeoff between gasoline saved by use of catalysts and oil lost in production of unleaded gasoline would be "at best a washout."

A spokesman for the E. I. du Pont de Nemours and Co. said that the combination of the use of unleaded gasoline for catalysts and EPA's phase-down regulations "will produce about a 3 per cent penalty in the amount of crude oil needed to produce a gallon of gasoline" by 1979.

Du Pont and Ethyl are the major U.S. manufacturers of lead anti-knock compounds.

"The only way you're going to get away from the crude penalty is to modify the lead phase-down regulations," the spokesman said. "The matter is far from settled, because the energy situation is going to keep people scrutinizing the effects of regulations like this."

One company that makes lead additives, PPG Industries Inc., ran afoul of EPA because of full-page advertisements it ran in *The New York Times* and *The Washington Post* protesting the agency's phase-down rules.

The advertisements showed oil spilling from a barrel, adorned with stars and stripes, into a hole and said in large letters: "The removal of lead from gasoline could have the net effect of dumping 1 million barrels of crude oil every day, a tragic waste of our natural resources."

In a letter to PPG president Joseph A. Neubauer on Nov. 29, John R. Quarles Jr., EPA deputy administrator, asked for a detailed explanation of PPG's figuring. "I know of no conceivable analysis by which it could be concluded that the removal of lead from gasoline could have the effect of wasting 1 million barrels of crude oil a day," Quarles wrote. "I therefore feel that your advertisement may represent a serious and irresponsible distortion of the facts."

An assistant to Quarles said that Neubauer's reply, dated Dec. 12, "does not allay our concerns" about the advertisement.

Catalyst manufacturers

The big winners from the Senate and House decisions to extend the emissions at the interim 1975 level are manufacturers of the catalysts that will have to be installed on autos.

"It's clear from action in the past several weeks in the Senate and House that catalysts will be required" on the 1975 and 1976 models, said a spokesman for Engelhard Industries Division, which will be one of the major catalyst manufacturers.

Engelhard has two plants ready to produce catalysts in Newark, N.J. It is building another in Huntsville, Ala., which is scheduled to begin production next spring.

Edward E. David, Jr., former head of the White House Office of Science and Technology and now executive vice president for

research, development and planning for Gould Inc., another catalyst manufacturer, called the extension a "step forward that will result in cleaner air sooner."

A spokesman for Universal Oil Products Company said the firm was "extremely happy" with Senate and House action on the extensions.

Environmentalists

Environmental groups, which achieved little success in their attempts to protect the Clean Air Act in the House, had harsh words for the bill that emerged from that chamber.

At a news conference on Dec. 17, the National Clean Air Coalition, a loose federation of environmental groups headed by the Sierra Club, said the only emergency the House bill solves is "to see that the special interests received their Christmas presents on time."

Richard M. Lahn, a Sierra Club staff member who serves as coordinator for the coalition, said that "the energy companies, the electric utilities and the auto companies have used the House emergency legislation for their own selfish purposes; to effectively suspend for six years the regulation of emissions from power plants . . . to take away the power from the states to regulate air pollution and leave severely limited powers to the federal government . . . to freeze automobile standards at a level which would prevent further savings in gas consumption, and to undercut the National Environmental Policy Act."

FORECAST

Some of the provisions in the House bill to which environmentalists objected were eased in the version that emerged from conference, particularly the auto emission controls. Conference agreed on an extension of the interim 1975 levels through 1976, and gave EPA the option of delaying them for an additional year. But the bill still was a blow to environmentalists.

Rep. Symington of Missouri, asked for his view of the House action, said: "I guess my lead line should be 'Alas, the Clean Air Act, we knew it well.'"

There was some feeling, however, that the outcome could have been much worse for the environmentalists. "There is no need to take action now on extending the auto emission standards to 1976 or 1977," said Sierra Club president Laurence I. Moss, "but proposals were made that would have done a lot more damage."

Despite the belief of environmentalists that they did well to limit the encroachments on the Clean Air Act, it appears that they are in for difficult times in the months ahead.

That conclusion also is held by many at EPA. "Let's face it," said one EPA official as the House was finishing its work on the emergency bill, "these are not good times for us here."

It seems evident that the energy policy team at the White House is not inclined to defer to EPA on energy decisions affecting the environment.

EPA administrator Train, who has had a "team player" image in his present job and during his previous tenure as chairman of the Council on Environmental Quality, will face difficult decisions on whether to quietly accept White House energy decisions that postpone environmental goals or to break openly with the White House.

Some believe that the Administration's recent slights to EPA could act to the advantage of the agency and Train.

"The White House crossed Train," said Lahn of the Sierra Club. "From now on, he can use that as a reason to operate more independently. With Watergate and all, that may be the best thing that could ever happen to him."

DEMAGOGIC NEWSLETTER ARTICLE ATTEMPTS TO SLANDER THE DISTRICT OF COLUMBIA SCHOOL SUPERINTENDENT

HON. RONALD V. DELLUMS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 1974

Mr. DELLUMS. Mr. Speaker, in the December 10, 1973, edition of the Republican Congressional Committee Newsletter there appeared an article entitled "My Name Is Arnold: A Ghetto Primer." The article purports, through the use of innuendoes, to indict the newly appointed Superintendent of District of Columbia public schools as teaching students to hate white people. Included in the article is the following language:

If you've wondered where some of the black kids get their ideas about whiteness, one look at a book called "My Name Is Arnold: A Ghetto Primer" may supply the answer.

First used in Chicago Public Schools as a text for beginning readers . . .

The person who introduced the book to Chicago's Schools was Mrs. Barbara Sizemore, who earlier this year was appointed superintendent of the District of Columbia Public School system.

Based on this language and the possible harm that it could bring to Ms. Sizemore's tenure as superintendent, her future professional life and, more importantly, to the future of the children attending District of Columbia public schools, I feel that it is necessary to set the record straight.

Had the editor of the newsletter availed himself to readily available facts, he would have learned that Ms. Sizemore, while in the Chicago public school system and having some authority for training teachers, proposed using "My Name Is Arnold" as an in-service training device. "My Name Is Arnold" is a book based on a series of interviews with children from the Woodlawn School District. The interviews were excerpted and consolidated into one personality called Arnold which typified the children interviewed. Ms. Sizemore, in her position as director of the Woodlawn Experimental School District, recognized the excerpts personified by Arnold, if used as a training tool for teachers, to be an excellent means for increasing teacher sensitivity, teacher readiness, and teacher effectiveness in classrooms of children from poor and minority backgrounds.

The book, authored by Mrs. Essie G. Branch and published by the Du Sable Museum of Chicago, was from Ms. Sizemore's perspective and was never intended to be used in the classrooms of the Woodlawn Schools nor indeed was it ever used. Therefore, the assertion that the book was "First used in Chicago public schools as a text for beginning readers" is not true. The suggestion that the book may be a basis for a source from which "some of the black kids get their ideas about whiteness" is ludicrous.

The column, as it was written, contributed nothing to the betterment of the

education of local public school students and could have been published for no other apparent reason other than to embarrass or denigrate Ms. Sizemore at the commencement of her superintendency. This is all the more true in light of the obvious fact that the Congress finally determines the budget for the District of Columbia school system.

The article is open to interpretations which could only aggravate unproductive racial hostilities among its readers.

Based on the response that has been received by my office, the offices of other Members of the Congress, and the District of Columbia school system, the article has done untold harm to the efforts of Ms. Sizemore and the District of Columbia Board of Education in their attempt to bring about the delivery of better educational services to the citizens of the District of Columbia. Hopefully, this inclusion in the *Record* will set the record straight and minimize its possible harmful effect.

VISIT PITTSBURGH'S FLAG PLAZA— A PATRIOTIC EXCURSION

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 1974

Mr. MOORHEAD of Pennsylvania. Mr. Speaker, despite the current energy shortage, Americans still will be making vacation trips this summer—although they may not venture as far from home as they once did.

For the vacationing family, Pittsburgh's Flag Plaza-Scout Center is an entertaining, educational, and patriotic stop on their schedule.

Flag Plaza-Scout Center stands prominently and proudly at the base of Pittsburgh's Golden Triangle, a short distance north of the Civic Arena. Flag Plaza is part of a patriotic and educational legacy given to the youth of America by Vivian W. Lehman, in loving memory of her husband Chester Hamilton Lehman, distinguished citizen, industrialist, philanthropist, and Scout leader.

Scout Center is the program and administrative heart of Allegheny Trails Council, Boy Scouts of America. It serves 850 sponsoring institutions, 1,300 Scout units, and 16,000 adult volunteer Scout leaders. These organizations and leaders project Scouting's educational program of challenge and adventure to 50,000 boys annually as they climb the Scouting trail of character development, citizenship training, and physical fitness.

The glistening white-stone building was dedicated on Independence Day, 1968, and is entrusted to Allegheny Trails Council, Boy Scouts of America.

Flag Plaza is the scene of the historic flag ceremony held each evening and of educational programs for school groups. Here five stately poles tower to an awesome 80 feet—the height of an 8-story building. The 50-star flag of the

United States of America waves majestically atop the central and highest pole as a symbol of our never-ending quest for peace and freedom for all mankind. Four other banners flank and salute Old Glory. Three of these are the crest of the city of Pittsburgh, the colors of the Commonwealth of Pennsylvania, and the ensign of the Boy Scouts of America. The fourth is one of 31 historic flags that have flown over this land in ages past. These, displayed and changed daily in chronological sequence, begin with the banner of the Viking Norsemen and include the flags of Holland, Britain, France, and Spain. Most are American flags dating from the years 1775 to 1781, in that period when our Founding Fathers rebelled against foreign tyranny, risked their lives and fortunes to create and defend a new nation, and thus gave us the heritage of freedom and independence that is ours today.

For student and Scout, Flag Plaza is at once a lesson in history, civics, and love of country. For the tourist, it is a unique and stirring experience. I urge my colleagues and their constituents to visit Flag Plaza—taste of its patriotic flavor, sense its educational atmosphere, thrill a little to the story our flags tell of America. Observe today's youth conducting the historic flag ceremony or participating in the stimulating school programs. Come to Flag Plaza and, as thousands of others have done, reverently salute the flag of the United States of America in this invigorating setting.

"MURDER BY HANDGUN: THE CASE FOR GUN CONTROL"—NO. 65

HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 1974

Mr. HARRINGTON. Mr. Speaker, in a tragic and unexplained handgun incident, Fred Sposato, the father of five children, was shot six times and killed while he was sweeping out his barber shop in New York City.

Yesterday I included an article about another death that resulted from a handgun. Today's story is a clear indication that handgun murders are not confined to particular economic, social, and age groups. Mr. Sposato was 60, and Mrs. Waldman was 31; Mr. Sposato was a lower middle income worker living in Brooklyn, and Mrs. Waldman lived in a \$75,000 home in the suburbs. But they both were killed, for no apparent reason, with handguns.

Included below is the January 13 article from the New York Times.

FROM THE POLICE BLOTTER

A 60-year-old Brooklyn barber was shot six times and killed as he was sweeping out his shop at 574 Fourth Avenue shortly after 9 A.M. The unknown gunman escaped and the police said they had been unable to find a motive for the slaying. The victim was identified as Fred Sposato, father of five.

DEDICATION OF A "FREEDOM TREE"

HON. EDWARD R. MADIGAN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 1974

Mr. MADIGAN. Mr. Speaker, on November 11, 1973, the citizens of Rantoul, Ill., gathered to dedicate a symbol of their continuing concern and hope for those men who went to Vietnam at the request of their country, Congress, and President, and who have neither returned nor been accounted for.

Mayor McJilton's remarks represent the concern of a citizen-mayor for his country and community.

Maj. Gen. Frank Elliott's remarks, I believe, exemplify the very finest values of the American military tradition, and Chaplain Capt. Brevard S. Williams invested those ceremonies with the teachings of the Lord.

All taken, these remarks certainly capture some very fine American virtues. I believe the fact that this spirit is still abroad in the land should give us some degree of comfort, even despite the trials we face.

Their remarks follow:

REMARKS BY MAYOR JACK MCJILTON

On this date and at this hour for 55 years, the people of our great nation have annually joined in a "prayer for a lasting peace" and a "salute to our veterans of all wars."

It is most fitting that on this date of the traditional Armistice Day, we, here in Rantoul, can dedicate a Freedom Tree—as a living tribute to all prisoners of war and those missing in action.

I would like to emphasize that this Freedom Tree is an evergreen. The evergreen tree remains green throughout the whole year and stands out when others lose their foliage. This is very symbolic to one of the American peoples' greatest needs of today—hope—the feeling that what is wanted will happen. History, experience and the Bible teach us that Christianity, state and home are only successful when we, as individual people, believe and maintain an everlasting hope for the future.

Today, let us, as people of this great nation, be like the evergreen. Let us have hope, stand out, remain strong and have convicted belief in God, country and fellow man.

On behalf of the citizens of the Rantoul-Chanute community, it is my great pleasure to accept this beautiful and symbolic blue spruce in the honor of all who have served their country.

Thank you.

REMARKS BY MAJ. GEN. FRANK W. ELLIOTT

We are here today to honor our personnel carried in MIA (Missing in Action) status, many of whom have been missing up to eight years, a few for more.

Some wonder if their fate was worth their sacrifices. Whether it was, or not, is up to us who did survive. There is a quotation which describes our feelings somewhat better than I could. It states: "War is an ugly thing, but not the ugliest of things; the decayed and degraded state of moral and patriotic feeling which thinks that nothing is worth war is much worse. A man who has nothing for which he is willing to fight—nothing he cares about more than his own personal

safety—is a miserable creature who has no chance of being free, unless made and kept so by the exertions of better men than himself."

I submit that those who are missing from any war during our lifetime can be counted on the side of those who cared—cared for their God, their country, their families.

This tree is an everlasting indication that this community appreciates their sacrifices. We hope that in the not-too-distant future some presently listed as MIA may view that which we dedicate today.

This flag which has flown over our Nation's Capitol is another symbol which meant much to every person who has ever fought for his country. I feel that the American creed passed through their minds on many occasions. It states: "I believe in the United States of America as a government of the people, by the people, for the people; whose just powers are derived from the consent of the governed; a democracy in a republic; a sovereign nation of many sovereign states; a perfect union, one and inseparable, established upon those principles of freedom, equality, justice, and humanity for which American patriots sacrificed their lives and fortunes. I, therefore, believe it is my duty to my country to love it, to support its Constitution, to obey its laws, to respect its flag, and to defend it against all enemies."

This American Creed was written by William Tyler Page in 1918 in the course of a nation-wide contest on the subject. It is interesting to note that Mr. Page bought liberty bonds with the \$1,000 award money three days after receiving it, and then gave these bonds to his church. Mr. Page's last public appearance was on Sunday evening, October 18, 1942, when, as a guest of the DAR, he led the recitation of the American's Creed at the 50th anniversary celebration of the Pledge of Allegiance to the Flag.

Mr. Page died the next day.

This tree and this flag are true indications that the citizens of this community care.

PRAYER

(By Chaplain Capt. Brevard Williams)

Eternal God, Whose love and strength is denied to no man, we thank You for the return of our prisoners of war to us, and for Your sustaining them under their unspeakable loneliness and pain. We pray, also, for those left behind, missing in action, that Your solace will ever keep them whole. We pray for those who have given their lives that we may live in freedom; strengthen their families and loved ones, that they may know the consolation of Your love; and keep them before our vision upon which rest our hope and freedom.

Almighty God, Who hast given us this good land for our heritage, we humbly beseech Thee that we may always prove ourselves a people mindful of Thy favor and glad to do Thy will. Bless our land with honorable industry, sound learning and pure manners. Save us from violence, discord and confusion; from pride and arrogance, and from every evil way. Defend our liberties, and fashion into one united people the multitudes brought hither out of many kindreds and tongues. Endue with the spirit of wisdom those to whom in Thy name we entrust the authority of government, that there may be justice and peace at home, and that, through obedience to Thy law, we may show forth Thy praise among nations of the earth. In the time of prosperity, fill our hearts with thankfulness and in the day of trouble, suffer not our trust in Thee to fail, following the example of those whom we honor here today; all which we ask through Jesus Christ our Lord and Savior. Amen.

VIETNAM—1 YEAR LATER

HON. JOHN F. SEIBERLING

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 1974

Mr. SEIBERLING. Mr. Speaker, as we mark the first anniversary of the signing of the Paris agreement on ending the war and restoring the peace in Vietnam, we do so with deep concern and apprehension about the current situation in Vietnam.

The breakdown of the standstill ceasefire has created immediate danger of a return to all-out warfare in Vietnam, and with it new pressures for increased U.S. aid to South Vietnam, and perhaps even U.S. reinvolverment in the war.

Violations of the peace accord by either side are not condoned by anyone. But our responsibility, as the Nation which is currently providing about 90 percent of the cost of the Saigon government's civilian and military operations, is to see to it that the Thieu regime scrupulously adhere to the provision of the Paris agreement. Only if this is done can we and the world know if the other parties will abide by the provisions so dearly arrived at for achieving a negotiated political settlement.

In the past year, the Republic of Vietnam has repeatedly violated the ceasefire agreement by its offensive military operations, by its inhumane treatment of thousands of political prisoners, and its restrictions on movement, assembly, speech and other fundamental civil liberties. Documentation of these violations are listed below. More recently, President Thieu has gone beyond these infractions and declared that he will attack the military sanctuaries of the other side in open violation of the ceasefire accord.

The role the United States continues to play in condoning these violations by the RVN can no longer be ignored. Our military and economic support of the RVN is so substantial that it obviously constitutes approval or at least acquiescence in the politics and action of the RVN.

Our financial support of the Thieu regime is already substantial, and reports persist that the administration will shortly request a supplemental appropriation for additional military aid to South Vietnam. In view of the serious problems facing the American people, we cannot lightly continue to pour further American resources into Vietnam, especially if the RVN will not adhere to its international treaty obligations.

Rather than increasing assistance to the Saigon Government, now is the time for the United States to be firm in insisting that the Paris agreement be honored, and that any violations be dealt with, not by us unilaterally, but by all parties to that agreement.

Mr. Speaker, today 26 members of Congress for Peace Through Law have sent a statement to President Nixon and Secretary of State Kissinger expressing their concern about the military situa-

tion in Vietnam. I include that statement in the RECORD, along with a list of the violations of the Paris agreement by the Republic of Vietnam:

MEMBERS OF CONGRESS FOR PEACE THROUGH LAW—NEWS RELEASE

WASHINGTON, D.C.—Twenty-five members of Congress Tuesday issued a statement expressing their concern about the continued military conflict in Vietnam and the U.S. government's support of the Republic of Vietnam's civilian and military operations. The bi-partisan group signing the statement, all Members of Congress for Peace Through Law, are:

Senators James Abourezk, Mark Hatfield, Vance Hartke & George McGovern; Representatives Bella Abzug, Herman Badillo, Jonathan Bingham, George Brown, John Conyers, Lawrence Coughlin, Robert Drinan, Bob Eckhardt, Don Fraser, William Green, Ken Hechler, Parren Mitchell, Bertram Podell, Peter Rodino, Ed Roybal, Fernand St Germain, Pat Schroeder, John Seiberling, Pete Stark, Antonio Won Pat, and William Lehman.

The statement follows:

"On the first anniversary of the signing of the Paris Agreement on Ending the War and Restoring the Peace in Vietnam, we, the undersigned Members of Congress for Peace Through Law express our profound concern over the breakdown of the standstill ceasefire which has created immediate danger of a return to all-out warfare in Vietnam.

"We recognize that both sides to the conflict in Vietnam have been guilty of violating the Paris Agreement. We deplore the fact that the North Vietnamese with their allies, and the South Vietnamese have each failed to fully uphold their responsibilities under the Paris Agreement.

"We would point out that our government has a particular responsibility for the actions of the Republic of Vietnam in this matter. The United States supports up to 90% of the cost of the Saigon Government's civilian and military operations. Therefore, it is incumbent upon our government, as a signatory to the Agreement, to take particular notice of the Republic of Vietnam's performance in light of the Paris Agreement.

"The history of the past year demonstrates that the Republic of Vietnam has repeatedly violated the ceasefire agreement by its offensive military operations, by its inhumane treatment of thousands of political prisoners, and by its restrictions on movement, assembly, speech and other fundamental civil liberties. President Thieu has gone beyond these infractions and declared that he will attack the military sanctuaries of the other side in open violation of the ceasefire accord.

"We are well aware that it takes the good faith of all parties to make an agreement work. We are deeply troubled that agreements which promised to bring peace to the people of Indochina, and which still hold that promise, are so severely jeopardized by the present situation.

"Although we are thankful that Americans are no longer fighting in Indochina, we must continue to seek other practical alternatives for implementing our concern for a true and lasting peace for the people of that war-torn region of the world. We should even consider the reconvening of the Paris Conference on Vietnam with all involved nations, as a means for insuring a true peace in Indochina."

DOCUMENTATION OF VIOLATIONS OF REPUBLIC OF VIETNAM

The Saigon Government has been systematically violating the Paris Agreement, both in its military and political provisions. These

violations, which go to the heart of the Agreement, began immediately with the ceasefire deadline and have been continuous over time.

Following is a partial listing of important violations of the ceasefire which can be documented from U.S. sources and from press reports. These are arranged in 2 categories: 1) Military violations; 2) political violations.

MILITARY

The ARVN established many new military outposts all along route 4, which runs from My Tho to Vinh Long, where no government posts had existed at the time of the ceasefire (State Department source). This was a violation of Article 2 of the ceasefire protocol, which provides that there can be "no major redeployments or movements that would extend each party's area of control."

B. In still another violation of Article 2, immediately after the ceasefire was proclaimed, ARVN troops attacked some 350 villages which had been occupied by the PRG forces during the three days before the ceasefire was to take effect. Some of the fighting continued for two weeks before Saigon recaptured these villages. (Washington Post, March 29, 1973).

C. Official U.S. reports from the field showed that by mid-year the South Vietnamese Army was firing twenty times as much ammunition as their foes, most of it for "harrassment and interdiction," meaning that it was not fired at any particular military target but at the PRG zone generally. (Washington Post, June 4, 1973).

D. Beginning in October 1973, President Thieu openly ordered his commanders to launch "preemptive strikes" against the PRG forces on the ground as well as in the air. (New York Times, November 1, 1973).

E. One of the most experienced correspondents in South Vietnam summed up the first two months of the ceasefire by saying, "The Saigon Government has been guilty of by far the greatest number of cases of launching offensive operations into territory held by the other side." (Christian Science Monitor, March 30, 1973).

F. In Chuong Thien province, ARVN troops were carrying out "nibbling operations" against the PRG zone over a period of months. (Time Magazine, November 19, 1973).

POLITICAL

A. Thieu has refused to permit "democratic freedoms," called for in Article 11 of the Agreement, such as the right to organize politically, hold meetings, publish, etc. He has justified his position by arguing that the Communists would "take advantage" of such freedoms to "subvert our society from within." (Vietnam Report, Saigon, April 15, 1973, p. 7).

B. The Thieu Government also violated Article 11 by using its government machinery to prevent refugees from returning to their old homes in the free PRG zone or contended areas and prevented movement between the two zones. Thieu even circulated within his government a false summary of the Paris Agreement which claimed that that Agreement forbade civilians from moving from one zone to another. (Christian Science Monitor, March 16 and 27, 1973; Ron Nessen, NBC Morning News, January 30, 1973).

BURR POWELL HARRISON

HON. M. CALDWELL BUTLER

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 22, 1974

Mr. BUTLER. Mr. Speaker, I wish to join my colleagues in paying tribute to the memory of Burr Powell Harrison who

served in the House of Representatives from 1946 to 1963. Judge Harrison, as he was known to many, represented a portion of the Shenandoah Valley which through redistricting in later years now lies in my own congressional district. His former constituents still speak with affection and praise of their distinguished former Representative.

The son of Thomas Walter Harrison, who represented the same district earlier in this century, Burr Harrison was educated at Virginia Military Institute, Hampden-Sydney College, the University of Virginia, and the Georgetown University School of Law.

He served the State of Virginia throughout his career as an attorney, a Commonwealth's attorney, State senator, circuit court judge, and Congressman. A true servant of the people, Burr Harrison's death is a great loss to the Commonwealth of Virginia and to the Nation as a whole.

A VICTORY FOR FARAH STRIKERS

HON. BELLA S. ABZUG

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 1974

Ms. ABZUG. Mr. Speaker, yesterday a major victory on behalf of poor working men and women was won. A National Labor Relations Board judge ruled that Farah Manufacturing Co., must reinstate striking employees who want their old jobs back.

The 3,000 striking workers, largely Chicano and largely women, are striking against one of the largest apparel manufacturers in the world. I would like to lend my support to the striking workers and to the national boycott of Farah products. In so doing, I join prominent religious, labor, and political leaders, who have also lent their support to the strikers.

The Farah strikers' struggle is taking place in El Paso, Tex. Of some 20,000 clothing workers in El Paso, only slightly more than 10 percent are under union contract. El Paso contains an enormous pool of unorganized, cheap Mexican-American labor. Farah, El Paso's largest employer, hires 14 percent of the local work force in its four El Paso factories. Although Farah refuses to divulge the average pay of its workers, the reported pay is \$1.70 per hour. A unionized plant of Hortex Manufacturers pays a starting wage of \$1.80 per hour. Levi Strauss just signed a contract with ACWA, settling for a minimum wage of \$2 per hour. The workers at Farah deserve a living wage. They deserve a negotiated pay scale.

Farah's working conditions call for comment. Farah workers have no job security—there have been firings without cause. Workers live in fear of dismissal if production falls—they are pushed to meet ever rising production quotas. The company admittedly has no grievance procedures other than appeals to management. The company has gone so far as to curtail all talking among employees during working hours.

Farah has attempted to divert attention from such wages and working conditions. A company sponsored savings plan, which was challenged in Federal court, seems to be a subterfuge. It encouraged workers into making interest-free loans to their employer. Workers' money was put into the company's bank account and was used to pay the firm's operating expenses. No interest was paid.

The salient issue is that of the freedom to unionize. In 1970 the Amalgamated Clothing Workers won an election in the cutting room in El Paso. The company disregarded the election and challenged the matter in the courts. In September of 1972 the NLRB certified Amalgamated as the cutters' exclusive bargaining agent. The company still refuses to meet and bargain with this union as the law requires. Without a freely chosen collective bargaining agent the workers can hardly have social justice.

The AFL-CIO executive council charged the company was trying to break the strike with tactics "from the Dark Ages of American labor relations." Indeed, the company has harassed, intimidated, and coerced workers. The company has created an atmosphere of fear and oppression. The company has maintained close surveillance of various workers, has questioned workers about union sympathies, and has threatened workers with plant closings. The company has offered wage increases on the condition that workers stop engaging in union activities. The company has threatened workers with "harsh treatment" and a loss of benefits if they became active in union activities. They have transferred workers to less desirable jobs for engaging in union activities and have unlawfully discharged workers for supporting union activities. Later Farah has refused to rehire them for their former or equivalent jobs.

The company has mistreated strikers themselves. Farah has photographed employees engaged in picketing and demonstrations. The company has used guard dogs to intimidate striking employees who were engaged in peaceful picketing at the plant. More than 1,000 arrest warrants were obtained against strikers, mostly for misdemeanors in failing to observe a State law requiring pickets to space themselves at 50-foot intervals. Such harassment has resulted in hundreds of workers being taken from their home to jail at midnight.

I fully support the Farah strikers.

As the Spanish poet, Carlos Garcia-Lorca said, "I am and shall always be on the side of those that hunger." For the benefit of my colleagues I am inserting the Amalgamated Clothing Workers' Farah factsheet, and an article that appeared in today's Washington Post, "Farah Strikers Win Job Ruling," in the CONGRESSIONAL RECORD:

FARAH FACT SHEET

The Farah Manufacturing Company is one of the largest pants manufacturers in the United States, with wide distribution to department and men's specialty stores throughout the country.

The Farah Company operates 8 plants (4 in El Paso, 2 in San Antonio, 1 in Victoria, Texas, and 1 in Las Cruces, New Mexico). Before the strike Farah employed 9500 work-

ers, 95% of whom were Mexican-American and 80% were women.

The strike started on May 3, 1972 when workers in the San Antonio plant left their jobs in protest of the Company's unfair labor practices, including the firing of several workers engaged in legal union activities.

The strike protesting these and other unfair labor practices rapidly spread to the other Farah plants and soon there were close to 3,000 workers on strike.

Despite peaceful and orderly picketing, the company obtained a temporary injunction of the most stringent nature. One of the provisions of that injunction was that pickets had to remain 50 feet apart at all times. This, of course, made it almost impossible to maintain a normal picket line. Eventually, a Federal court declared the Texas picketing law unconstitutional.

Before the law was struck down, however, many hundreds of the strikers were arrested despite the fact that there had been no violence or unlawful activity on the part of the strikers. Many of the strikers were arrested at their homes in the middle of the night and held for the exorbitant bail of \$400 per person. The usual bail for similar misdemeanors in the El Paso area has been \$25.

Although the Federal government has found Farah guilty of unfair labor practices for hiring sympathizers, the company continues to flout the law. Union supporters have been fired or harassed at each of the operating plants.

In addition to the discharges, numerous other acts of intimidation, coercion and undue restraint have been perpetrated against the workers. Some of these have included the use of armed guards patrolling with vicious police dogs in an effort to frighten the strikers.

The National Labor Relations Board has ordered the Farah Company to cease all such unlawful activity and to rehire those employees from the El Paso plants and the San Antonio plant who had been unlawfully fired. Similar cases are pending but the NLRB has ordered Farah:

To stop enforcing a broad no-solicitation rule which interferes with union organizing during non-work time.

To stop maintaining a close surveillance of employees.

To stop maintaining a rule that restricts personal conversations during working time because employees are involved in union activities.

To stop interrogating employees about their union activities.

To stop discharging employees for refusing to obey orders which unlawfully interfere with union activities.

To reinstate unlawfully fired employees and to pay them for lost earnings plus six per cent.

Additionally, in a "formal settlement agreement" the Board has stated that strikers will be treated as unfair labor practice strikers, thus signaling the fact that the company is held to have precipitated the strike.

In 1970 the Amalgamated won an election in the cutting room in El Paso. Nearly two years later, after numerous appeals and protests lodged by the company, the NLRB certified the Amalgamated as the cutters' exclusive bargaining agent. Today, after repeated orders, the company still refuses to meet and bargain as required by law. The company's tactics are clear. Farah intends to wear down the union and the employees with legal delays and outright law-breaking.

The Mexican-Americans employed in the plants are being exploited in the worst possible way. A recent suit filed in U.S. District Court at San Antonio is but one example of this exploitation. Farah employees, including some still working in the plants in El Paso and San Antonio, have filed a class action suit against the company because, as they allege, they have unknowingly been loaning

the company money for over ten years. Farah operates a savings plan that pays no interest and that allows withdrawals once only, for emergencies and again at the end of a year. According to the workers, some employees were strongly pressured into joining the plan. The funds from this plan go directly into company accounts at the El Paso National Bank where they are put into the company's general funds and used to meet the firm's operating expenses. Willie Farah is a director of the El Paso National Bank.

The acts of intimidation used against the workers are the company's way of preventing its employees from securing a better economic way of life, and thereby gaining dignity and freedom for themselves and their families.

In order to hasten the end of the strike and to help the Farah workers achieve a better life, the ACWA has launched a nationwide consumers' education boycott which includes regular consumer educational picketing and leafleting against the struck product in front of retail stores that sell Farah pants.

Support for the strikers and the boycott has been enormous. The national AFL-CIO has made the Farah boycott a major concern as has its state and county affiliates. Similarly, international and national unions have pledged their support in meaningful time and money donations.

At the same time, numerous leaders in the political, social and cultural fields have endorsed the strike and the boycott, for example. Senators: Bayh, Cranston, Hart, Javits, Kennedy, McGovern, Mondale, Montoya, Moss, Stevenson and Williams, the National Organization of Women, the NAACP, and the National Student Association.

A major addition to the impetus of the boycott has been the support given by the religious community. The Most Reverend S. M. Metzger, Bishop of El Paso, sent out a call to his fellow Bishops to endorse the strikers' cause and spread the boycott as a means of aiding the people in need of his diocese. The answer to his message has been heartwarming. Not only have many Bishops, Archbishops and Cardinals across the nation replied, but they have been joined by other religious leaders in this struggle for social justice. The Central Conference of American Rabbis, the Texas Conference of Churches, The National Council of Churches, African-American Methodist Episcopal Church, local Councils of Churches, The Very Reverend Francis B. Sayre, Jr., Dean of Washington Cathedral and the Most Reverend Trevor Wyatt Moore, D.D., Bishop of the Orthodox Catholic Autocephalous Church of the United States, have all given their complete support to this major quest for human rights.

During the week of October 29 Farah announced that he was closing the Victoria, Texas and Las Cruces plants.

FARAH STRIKERS WIN JOB RULING (By Selig S. Harrison)

The Amalgamated Clothing Workers won a major victory yesterday in the union's 20-month battle against the Farah Manufacturing Co. when a National Labor Relations Board judge ordered the company to reinstate striking employees who want their old jobs back.

Administrative Law Judge Walter H. Maloney Jr. ruled that the Texas manufacturer of slacks must offer 2,000 striking workers reinstatement in their former jobs or "substantially equivalent" positions.

If necessary, he said, Farah must dismiss workers hired to replace the strikers since the walkout began in May 1972.

Maloney also ordered the reinstatement with back pay and full seniority of six employees whose dismissal precipitated the bitter strike and a subsequent union boycott campaign against Farah products.

The ruling must be reviewed by NLRB before it takes effect. Farah is expected to wage

a court fight against an adverse NLRB decision.

Maloney's findings upheld union charges of unfair labor practices against Farah management for seeking to block union organizing efforts and intimidating union supporters.

In unusually sharp language, Maloney declared that Farah "has been repeatedly directed to mend its lawless ways, and yet it continues on as if nothing had happened, trampling on the rights of its employees as if there were no National Labor Relations Act, no board and no Ten Commandments. Farah has simply thrown down the gauntlet to this agency."

Hailing the ruling, Amalgamated Clothing Workers President Murray Finley said that "rarely, if ever, in the history of federal labor law has any employer been so outspokenly chastised by a judicial officer of the U.S. government."

Farah spokesmen were unavailable for comment.

Company officials have stated that profits dropped 15 per cent during 1973 but deny that the boycott fully accounts for this decline.

REPRESENTATIVE EDITH GREEN ON THE QUALITY OF EDUCATION

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 1974

Mr. KEMP. Mr. Speaker, there are few subjects which should be of greater importance to the future of this Nation than the quality of education.

Education has been at the center of attention in this Chamber for years, but only recently have we begun to come to grips with the hard realities of how much—and how little—Federal assistance to education has helped to insure and to promote its quality. This can be no mere passing concern, for the education of our young men and women forms the basis for their abilities to lead this Nation when their time for leadership has come.

The distinguished and very able Representative from Oregon (Mrs. GREEN) is nationally noted as a leading authority on Federal aid to education. It was my privilege to serve with her on the Education and Labor Committee before she moved to appropriations. Her objectivity in reviewing the substantive accomplishments of Federal aid to education is reflected by her willingness even to question programs which she once had helped shepherd into public law. It is a sign of her commitment to education, when we reflect on how few are willing to view the world with such insight.

In an article of watershed significance in the "Annual Education Review" of the New York Times, January 16, 1974, Mrs. GREEN has written a succinct, well-documented, well-reasoned critique of the Federal role in education. Her eloquence speaks for itself. The article follows:

BACKER OF FEDERAL AID ASKS, "WHAT WENT WRONG?"

(By EDITH GREEN)

As a long-time supporter of Federal financial aid for education, I have come to realize with much pain that many billions of Federal tax dollars have not brought the significant improvement we anticipated. There are even signs that we may be losing ground.

What has gone wrong? I believe that several unanticipated problems must be understood before we can take positive steps toward achieving the goals we have set for ourselves.

First, it seems that whenever a new problem arises, well-meaning people immediately suggest that the Federal Government should provide a solution. If the state or local school district has turned down a program because there are other items of higher priority, surely in the inexhaustible Federal budget money can be found. Since there is no end to the number and variety of problems in education, there has been no end to the Federal programs that have developed over the years.

The structure constantly grows and usually at the hands of people whose motive is to help.

In hearings last year, Dr. Sidney P. Marland, Jr., former Commissioner of Education and Assistant Secretary for Education in the Department of Health, Education, and Welfare until his resignation last September, said:

"O. E. sprang very swiftly from a relatively small office in 1965 to an office with some \$5-billion in its responsibilities and some 104 different laws and programs to administer in a relatively short period of time. . . . The whole substance of proliferation of programs in the Office of Education has reached the point where it is causing almost impossible management to keep the lines of communication, the avoidance of duplication, the infinite volumes of paper work surrounding categorical programs."

A peculiar feature of all this is that programs never seem to phase out, even after the problem has been solved or after the program has shown very disappointing results. It is almost impossible to reverse an initiative. It is also next to impossible to change formulas for allocation of funds because the decision of each Congressman is too often based on the very pragmatic question: "Will my Congressional district (or state) gain or lose?"

So, in 1974, we are still using 1960 census figures despite evidence that some districts have thousands of new students and other districts are being paid for students who departed years ago.

Second, Federal education programs suffer from a terrible lack of coherence. To begin with, several Congressmen have several different proposals for solving any particular problem. By the time the appropriate subcommittee has agreed on a draft bill, the process of political compromise may have done away with the internal unity of the new program before it is even started.

The full committee then does its work on the bill, followed by the House as a whole—a process that has a complete analog on the Senate side (usually uncoordinated with the House). A Senate-House conference then alters the bill yet further with the result that the program lacks integral wholeness.

It may really please no one; the original author may reject it entirely; the academic community may "buy" it not because they like it, but because it promises more dollars. Ineffective responses to real needs only compound distrust in Government.

Many Congressional committees and agencies start programs unilaterally. It is always with the intent of "doing good." This results in more overlapping and duplication of effort. If the Federal Government's objective is to meet a short-range goal, the goal may well be achieved in this way. Multiagency programs, planned unilaterally, do not, however, promote long-range over-all planning. Categorical programs preclude an integral approach to the provision of services.

BEYOND TEXTBOOK DESCRIPTION

The third problem is one that goes beyond textbook description. We have been taught in school that Congress legislates the peo-

ple's will and the executive branch carries out the Congressional will. This is often far from the truth. The executive branch has grown to immense proportions and has developed its own set of plans and programs. Sometimes the plans for the executive branch and Congress coincide. But time and time again, we have found the Office of Education planning, announcing and implementing programs never contemplated in the Congressional legislation.

Often it seems that the Office of Education considers the year's appropriations to be a giant pool from which their people can transfer funds or draw, as they wish, for whatever programs they have decided to carry out. The Renewal Site program of 1972 is but one example.

Elliot L. Richardson, then Secretary of Health, Education and Welfare, testified that the \$363-million would be addressed to "reform and innovation." One of the Federal deputies in the Office of Education said, "After the needs assessment, the training program will be used to install new curriculum and to retain staff to meet the cultural and knowledge revolution that is upon us."

One irate Congressman demanded of Secretary Richardson:

"Who told you that you can use E.P.D.A. to go out across the United States and make a needs assessment to determine what the most important needs of the schools of the country are? Who told you you had the authority to install a new curriculum?"

These and other discretionary funds are often used to do an "end run" around Congress. The impoundment of other funds for the programs is also used to thwart the will of Congress.

Fourth, if the execution is bad, even the best program is doomed. When he was the Senate majority leader, the late Lyndon B. Johnson said, "Legislation should not be examined in the light of benefits it will convey if properly administered, but by wrongs it would cause if improperly administered."

A Federal agency consists of an upper echelon of political appointees whose life spans in office are very short and a vast underlay of permanent Civil Service bureaucrats. The top people rarely get a chance to get a real grasp on the agency before moving on. As a result, the lower level bureaucracy runs the show.

In practice, this means that regulations and guidelines are issued, laws are "interpreted," contracts are let and grants are made, by third-rank and fourth-rank officials who are remote from the college or the local school district and immune from constituency complaints. In fact, Civil Service manages to protect all who come within its purview from any serious restraint on their freedom except in rare cases of extreme malfeasance.

In addition to problems arising from the inherent isolation of centralized bureaucracy, there are the usual problems of corruption and inefficiency. Corruption wears many faces. Outright thievery or collusion is relatively rare. Far more prevalent are such practices as bypassing regulations, ignoring uncomfortable restrictions, bestowing benefits on friends or colleagues and all the known forms of logrolling.

Frequently, when officials leave Government service, they are rewarded with positions in the private sectors where they have had the most contacts—and they often receive Government contracts or grants (called "graduation presents" in the corridors of the Department of Health, Education and Welfare) to help them along. Repeated agency promises to tighten up management practices have produced little if any change.

THE ADMINISTRATIVE MONSTER

Finally, each new program spawns at least one new administrative unit within the Government. This involves new office space, new staff of many ranks, new organization charts,

new regulations. Administrative growth is a galloping cancer. Many listed as new state or city employees are there solely because of Federal funds or Federal requirements.

Out of the \$5.6 billion for 1973, the Office of Education had more than \$890 million in "discretionary funds." These funds amount to more than twice the total appropriations the agency had for all of its programs in 1960. This is spent in contracts and grants, research and evaluation.

Two years ago, my office did a study of O.E. contracts and grants. What we found was appalling. The General Accounting Office said the department was in absolute chaos. No one knew to whom the grants were given, for what purpose, or what were the results. More than 90 per cent of all contracts and grants from 1967 to 1972 were awarded on a noncompetitive basis.

Last year, Dr. Marland testified that there were more than 50,000 contracts and grants that required some degree of monitoring. An official of the Contracts and Grants Division estimated that 9,000 contracts and grants in the O.E. headquarters and 4,000 in regional offices had not been closed out. The closing of some has been delayed for as long as eight years.

Besides the 13,000 closeouts now outstanding, another 6,000 award files will probably never be closed out because they were in storage but cannot be located.

Who knows, then, whether the Federal dollars have been spent wisely? What are the results of the research? What kind of an evaluation was ever made? What dissemination was ever made of information gained?

Now the National Institute of Education has been established where research is to be centered. One of Oregon's leading educators says:

"Instead of finding out what's working in various states, they have to discover it all over again. There appears to be an intention to replot previously studied areas. There appears to be an intention to go for 'splashy' projects [like the NASA satellite program for Appalachia] as opposed to focusing on the 'here and now' problems of students, classroom teachers and school administrators."

It seems to me that the time has come for an "agonizing reappraisal." We can no longer afford another new program for each new problem, or another new agency for each old agency that has lost its vitality. We cannot tolerate more centralization and Federal control. We cannot afford to enlarge, or even to continue with, a huge administrative apparatus that operates out of public view and beyond public control.

The enormous Federal influence has not yet really entrenched itself, either structurally or philosophically, in the American experience. It is by no means too late to cut discretionary funds to a justifiable and manageable amount, and to do away with the myriad categorical programs. To the extent that financial assistance is required for education programs, such assistance can be supplied through outright block grants with minimum restrictions on how or for what they are spent, once a basic over-all need has been established. *Decentralization* and *general aid* are key concepts in the rehabilitation of our educational system; they and they alone permit each locality to determine its own priorities, plans and objectives—to focus on its own particular educational problems.

A LESSON ABOUT LABELS

My experience with Federal education programs over the years has taught me a profound lesson about political labels. Time was when it was easy to identify a "liberal" and a "conservative." The liberal supported increased Federal aid to education, and the conservative opposed it. But then matters got more complicated.

The liberals became those who supported assistance to certain programs, such as en-

vironmental studies or consumer education or the twentieth program for child development, but opposed assistance to the "wrong" programs, such as R.O.T.C. or block grants or funds for Federally forced busing to achieve a certain ratio, depending solely on pigmentation of skin. Conservatives became those who favored local control in certain areas, such as school districts in the South, but opposed local control in the community schools of New York.

We have come to the point where the old labels are as meaningless as the old simple formulas for political cures. If we could quit arguing about "liberal" or "conservative" and find out which programs work, children would be the beneficiaries. We have matured greatly in the past years, since Sputnik jarred our awareness. From a purely pragmatic standpoint, we should be eager to end unsuccessful programs and rid ourselves of the waste they engender. The essential lesson we have learned is that the financial resources of the Federal Government are necessary to our educational system, but the preservation of local control over priorities, plans and objectives is equally necessary. To the extent that this recognition becomes part of the national consciousness and is translated into action, we will be able to save our schools from mutilation and maintain their role as the preservers of a free, independent and enlightened citizenry.

This article was the subject of editorial comment in the Wall Street Journal last week. In light of the President's message on education, received by this body last week, the time is right to strengthen the commitment of this Nation to the genuine quality of education by looking with impartial candor at the successes and failures of our efforts to date. I think the Wall Street Journal editorial summarizes well the tasks before us. That editorial follows:

THE FAILURE OF FEDERAL AID

Representative Edith Green's litany of what went wrong with federal aid to education, appearing in an article in The New York Times' annual education review, makes it clear that the trouble was not lack of funds. On the contrary, education has had great amounts of federal money lavished upon it in recent years. As a result, it may be in worse shape than ever.

This is not to deny that some school districts could use more money, or that some areas of education still suffer from neglect. Moreover, a number of school districts used federal funds wisely to improve their overall educational performance. But after billions of federal tax dollars have been spent on education during the past 15 years or so, Representative Green admits the money has "not brought the significant improvement we anticipated. There are even signs that we may be losing ground."

The usual explanation is that federal programs failed because even the additional money was not enough. Thus, there are still those who insist that the War on Poverty and similar New Frontier and Great Society programs would have succeeded if only Congress had been more generous. That argument has a veneer of plausibility, but only if one doesn't understand realpolitik.

The key to understanding is the realization that there is no end to the number and variety of problems, therefore no end to proposed solutions ranging from the bold to the buncombe. Unless goals are carefully thought out and ambitions strictly limited, the result is likely to be disaster or disillusionment.

The federal government can, for example, use financial incentives to college students to affect the availability of engineers, foreign language specialists, clergymen or

veterinarians. Even here, though, there is danger that government stimulation will eventually glut the market, as the National Defense Education Act helped glut the market with teachers. But limited financial incentives are a far cry from grandiose plans to upgrade education across the board. Similarly, pockets of poverty probably can be ameliorated with federal aid, but sweeping "Wars On Poverty" are almost guaranteed to ignore the social and cultural roots of poverty.

The more basic reasons for this failure, however, are not so much lack of vision as the facts of political life: Struggles over patronage, administrative empire building, bureaucratic inertia and unresponsiveness. In short, the usual stumbling blocks of centralization.

Representative Green says we can no longer afford another new program for each new problem, or another new agency for each old agency that has lost its vitality. We cannot continue with a huge administrative apparatus that operates out of public view and beyond public control. She was referring to education, but it is a pretty sound prescription for other social welfare programs as well.

Mr. Speaker, I commend both of these items, and the observations which they impart, to the attention of all my colleagues who share with me a concern over the education of our heirs of tomorrow.

THE CASE FOR THE SAFE SCHOOLS ACT

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 1974

Mr. BINGHAM. Mr. Speaker, crime in our public schools is reaching staggering proportions. Hardly a day goes by when serious incidents of crime and violence are not reported by school districts across the country. Dr. Frank Brown, chairman of the National Commission for Reform of Secondary Education, in a study conducted by the Kettering Foundation, has stated—

The major concern confronting secondary schools today is the climate of fear where the majority of students are afraid for their safety.

Albert Shanker, president of the American Federation of Teachers in New York, has often insisted that teachers in his union want above all a safer climate in which to teach.

The Broward County, Florida, school board reported a 17-percent increase of assault incidents for the 1972-73 school year, including one murder. The number of arsons doubled compared to the previous year, and was responsible for losses of school equipment valued at nearly \$207,000. Of course, there is no way to measure the dollar value that such incidents have on the learning environment or the attitudes of students and teachers.

It is estimated that school crime across the country cost American taxpayers \$500 million for the 1972-73 school year, or about \$10.87 per student; about the same amount that was spent for textbooks that year. Approximately one-half of that sum was spent for school security measures.

The following table, reprinted from an article by Kenneth H. Dukiet in the November-December 1973 issue of School Management magazine, breaks down the costs of crime in schools by categories:

COST OF CRIME AND VIOLENCE IN SCHOOLS, ESTIMATED
1972-73

	Millions	Per student
Vandalism reported.....	\$260	\$5.65
Windows (glass breakage).....	35	.76
Fire (arson and accidental).....	90	1.96
Equipment (theft and damage).....	60	1.30
Facilities (building damage).....	50	1.09
Facilities (playground, athletic field, stadium, etc. damage).....	25	.54
Security support services.....	240	5.22
Personnel (security guards, contracted services).....	75	1.63
Personnel (night watch).....	25	.54
Equipment (alarms, locks, lights, etc.).....	100	2.18
Windows (replacements).....	20	.43
Insurance (additional due to losses).....	10	.22
Miscellaneous.....	10	.22
Total crime and violence ¹	500	10.87

¹ Does not include hidden costs mentioned in article; Market Data Retrieval estimates this figure in range of \$100,000,000 to \$150,000,000 per year. Does not adjust for recovery of lost money; MDR estimates this figure in range of \$15,000,000 to \$25,000,000 per year.

Sources: Market Data Retrieval, Inc.; Baltimore City Public Schools, Annual Report of Vandalism for 1971-1972; National Association of School Security Directors; USOE; Federal Crime Statistics, Federal Bureau of Investigation.

Hidden costs not included in the totals are costs for repair effected by school maintenance personnel, costs that are unreported by school officials who for public relations reasons are reluctant to report all crime and vandalism; costs for the protection of people and property that are difficult to ascertain, such as time spent by school personnel on security matters, and the cost of teaching and learning time lost due to damaged equipment and morale.

Last January I introduced legislation, H.R. 2650, the Safe Schools Act. This bill would provide funds to schools requiring assistance to carry out locally approved school security plans to reduce crime against children, employees, and facilities. These security plans as well as the education agency applying for the grant would be required to meet specific standards to qualify for Federal aid.

Hearings were held on H.R. 2650 last February but no action has been taken on the legislation since that time. The need for the legislation is indicated by the constant stream of letters coming into my office from educators, researchers, and teachers organizations across the country urging my continued efforts to enact safe school legislation.

In December of last year, Congressman BELL and I introduced the Safe Schools Study Act, H.R. 11962. This bill would require the Secretary of Health, Education, and Welfare to conduct a full and complete study to determine the extent of the crime problem in our Nation's schools and evaluate the most practicable and effective solutions. The study would also measure the dollars lost and the psychological effect of school crime upon this country's public schools.

Our schools need help in combating a phenomenon that is eroding the very foundations of American public educa-

tion. That school crime is a widespread problem, and serious in its magnitude, is evident to all who have ever skimmed the surface of the statistics and studies available on this subject.

The articles reprinted below from the Fort Lauderdale News and the Boston Herald-American, respectively, provide further evidence of the vast extent of the problem and the need to enact legislation that would alleviate the burden our public schools are now having to bear alone:

[From the Fort Lauderdale News, Jan. 18, 1974]

EXPULSED YOUTH, 14, RETURNS TO KILL SCHOOL PRINCIPAL

CHICAGO.—The 14-year-old son of a Chicago policeman has been charged with murder in a school shooting that brought death to a principal and injury to three other persons. Steven Guy was charged last night in the death of Rudolph Jezek Jr., 52.

Police said young Guy walked into an elementary school on the South Side yesterday carrying a .45-caliber pistol and a .38-caliber revolver, both of which belonged to his father, Patrolman Ralph Guy.

Officers said the eighth-grade pupil apparently was angry about being expelled and transferred on Monday from the school to a social adjustment center.

He was confronted in the corridor by assistant principal Gordon Sharp, 40, and school security guard Ezekiel Thomas, 47. Police said when they demanded to know why he was back at the school he pulled out one of the guns and opened fire, wounding both men.

Witnesses told police Guy then walked into the crowded principal's office waving a gun, fired one shot through Jezek's open door and then fired more shots at closer range, killing the principal.

[From the Boston Herald American, Jan. 9, 1974]

VANDALISM SOARS IN SCHOOLS; 139 TEACHERS ATTACKED IN 1973

(By Pamela Bullard)

During the past year, 139 teachers in Boston public schools were assaulted and 664 vandalism breaks were reported resulting in the loss of thousands of dollars worth of equipment and the destruction of two school facilities.

According to Chief Plant Engineer John J. Doherty, the cost of damage will exceed the \$1 million allocated by the School Committee to cover "malicious breaks."

Along with the 139 teachers assaulted were 12 custodians, bringing the total of school employees injured or robbed during the school day to 151.

The disclosure of vandalism came as School Committee chairman John J. Kerrigan launched a campaign for additional money from City Hall to provide for a security system to "provide for the safety of all school personnel."

Boston is the only major city in the country that does not have a security system. There are alarm systems in only 33 of the city's 204 school buildings.

During the last year, vandalism has been increasing in the system, with Boston having the highest per pupil vandalism cost of any city. The city spends over \$200,000 each year just to replace broken glass.

In the past few months both the Dorchester High Annex and the Edward Southworth School were destroyed by fire. Arson was suspected in both cases. Each school had been the subject of numerous vandalism breaks.

Brighton High School was the most vandalized, 24 times in the year. South Boston

High School was runner-up with 22 breaks. At the elementary level, the \$8 million Lee School that opened in 1971 had 21 breaks.

Among the articles stolen were: 42 record players valued at \$75 each; 93 typewriters valued at \$350-\$500 each; 40 projectors, seven television sets, 13 microscopes, seven sewing machines, 20 clocks, two pool tables, nine cameras, two 15-gallon fish tanks, and 21 fire extinguishers.

Also taken were a nurse's couch, three snow blowers, and 10 floodlights used to light school grounds to protect against vandalism.

Five alarm systems also were stolen from five schools.

A considerable amount of food was stolen during the past year, including 161 pounds of cold cuts, 580 pounds of hotdogs, 211 pounds of ham, 186 pounds of sausage, 230 pounds of chicken, 1048 pounds of butter, 60 pounds of pastrami, 65 pounds of Salisbury steaks, and 18 turkeys (fully cooked).

INDIANA UNIVERSITY SWIM TEAM HOLDS CLAIM TO LONGEST COLLEGIATE WINNING STREAK

HON. JOHN T. MYERS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 1974

Mr. MYERS. Mr. Speaker, the great State of Indiana has the distinction of producing many outstanding athletes. While most of the headlines center on football and basketball, I today pay tribute to the longest winning streak in collegiate sports history, the 111 straight victories by the Indiana University swim team coached by my good friend Dr. James "Doc" Counsilman.

It is true that another Indiana school, Notre Dame, recently ended UCLA's string of basketball victories and we Hoosiers are justly proud of Notre Dame's prowess as a football and basketball power. But when it comes to swimming, Doc Counsilman's teams are second to none, as pointed out in this article by Thomas R. Keating in Tuesday's Indianapolis Star which I would like to share with my colleagues:

HERE'S REAL WINNING STREAK

(By Thomas R. Keating)

So Johnny Wooden had his 88-game winning streak broken a week or so ago. Big deal—88 games.

Down at Indiana University this week, the swimming team is getting ready for win No. 112 in a row and there's virtually no way it'll get caught napping.

The architect of this, the longest winning streak in collegiate sports history, is, of course, the only coach in the nation with an actual doctorate in how to motivate young men to perform—Dr. James Counsilman.

When Counsilman came to Indiana in 1957, there was a joke around campus that it was a successful swimming meet if none of the I.U. swimmers drowned. Since then, Doc's athletes have broken more than 50 world records and created a dynasty unmatched in the sport.

With 13 Big Ten titles in a row, 92 straight dual-meet victories, six consecutive national championships and a number of Olympic stars back in the fold, Counsilman might be expected to be a satisfied, content man.

But, such isn't the case.

In many ways, this has been the most difficult of all his years of coaching.

Several months ago, Doc's son, James Jr.,

a world-class swimmer and a young man of the same caliber, was killed in an accident in which he fell from a cliff.

The tragedy left the usually gregarious and eloquent Counsilman more subdued than at any time in his life. Only someone who has lost a young son in such a manner can realize how he felt.

According to his closest associates, the desire to continue the rigorous pace required of a national-championship season took an extraordinary effort on Doc's part. Playing games sometimes just doesn't seem all that important.

In addition, the Hoosiers aren't the overwhelming favorites for the national title that they have been in some of the last six years.

Other squads, particularly arch-rival Southern California, have narrowed the talent gap the last two years, and are predicting they will snap I.U.'s winning streak at this year's national meet in March.

In short, the pressure is on this year, and some of Doc's critics (a few other swimming coaches he clobbers annually) have said Doc will have to coach more this year to win.

On the other hand, Doc's fans say he currently is doing the finest coaching job of his career. They add that he performs best when the pressure is on.

There is little doubt I.U. will annex its 14th straight Big Ten title this year; but on paper, the national championship may be up for grabs.

"But, you watch," said one of Counsilman's former swimmers. "Doc knows how to motivate himself as well as he does his swimmers. He'll bring home another winner, and when he does, it should rank as one of the greatest coaching jobs ever because this has been the toughest year of his life."

WHAT ARE GROUNDS FOR IMPEACHMENT?

HON. RICHARD BOLLING

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 1974

Mr. BOLLING. Mr. Speaker, there follows a well researched and sensible article by Merlo J. Pusey, former associate editor of the Washington Post. The article appeared in the Post of Monday, January 28, 1974:

WHAT ARE GROUNDS FOR IMPEACHMENT?

(By Merlo J. Pusey)

Nearly two centuries have failed to produce any clear-cut definition of the offenses for which a President or other high government officials may be removed by impeachment. The founding fathers agreed in the Constitutional Convention that some means of removing the President was essential to their system of limited government, which divided power among executive, legislative and judicial branches. But, like so many other provisions in the Constitution, their final compromise could be widely interpreted. And since no President has ever been both impeached by the House and convicted by the Senate and only four of the other impeachments have resulted in convictions—all involving federal judges—the blank spaces in this area of constitutional law are extensive.

There are, however, some guidelines as to the broad purpose of the founders in adopting the impeachment provision. They were well informed as to the part impeachment had played in curbing the powers of British kings. They studied the various impeachment provisions then in effect in the American states. Their first, tentative decision on the

subject was that the President would "be removable on impeachment and conviction of malpractice or neglect of duty."

There was a good deal of debate on the subject because Gouverneur Morris and other members of the convention feared that Congress might use the power of impeachment to destroy the independence of the President. At that time, the tentative draft of the Constitution called for election of the President by the legislature. Because of fear that Congress would be able to dominate any President thus beholden to it, the Committee on Detail reversed a previous vote of the convention and resolved that the President "shall be removed from his office on impeachment by the House of Representatives, and conviction in the Supreme Court, of treason, bribery or corruption." After selection of the President by an electoral college was agreed upon, the Special Committee revised the impeachment provision so that the President might be removed upon "conviction by the Senate, for treason or bribery." As a safeguard against dismissal of the President "under the influence of heat and faction" a two-thirds vote of the Senate was required.

James Madison and Elbridge Gerry complained that impeachment should not be limited to the crimes of treason and bribery. Madison would not go along, however, with a proposal that Congress be allowed to impeach the President for "maladministration." Use of "so vague a term," he said would mean "tenure during pleasure of the State." The convention accepted a proposal by George Mason that impeachment be extended to "other high crimes and misdemeanors against the State." This language, of course, was written into the final draft of the Constitution.

Mason made clear that he had borrowed the terms "high crimes and misdemeanors" from English law. He was striking, not at ordinary crimes, but at grave offenses against the state. This view appears to have been shared by both Madison and Alexander Hamilton. In expounding the work of the founders in *The Federalist*, Hamilton said that the impeachment provision was designed to reach "the misconduct of public men" and "abuse or violation of some public trust." Madison threw a good deal of light on his view when he argued, in the first Congress, that the President should have the power of removing other executive officials from office and that this power would "make him, in a peculiar manner, responsible for their conduct, and subject him to impeachment himself, if he suffers them to perpetrate with impunity high crimes or misdemeanors against the United States, or neglects to superintend their conduct, so as to check their excesses."

Use of the impeachment power, which the convention had provided and the states had approved, got off to a poor start when the Jefferson administration seized it as a means of ousting Federalist judges. In 1805 the House impeached Supreme Court Justice Samuel Chase, and the Senate tried him in an atmosphere of furious partisan bickering. Chase had been indiscreet on the bench and was widely accused of allowing politics to color his decisions. A majority of the Senate (though less than the required two-thirds) found him guilty on three of five counts. He might have been convicted, except for the fear that such action would unloose an orgy of impeachments to serve political ends. Chief Justice John Marshall was said to be next on the Jeffersonians' list. The independence of the judiciary was clearly at stake.

In moving against Chase, the Jefferson administration stretched the impeachment power to the breaking point. As Edward S. Corwin points out in "President: Office and Powers," "the prosecution advanced the doc-

trine that impeachment is 'an inquest of office,' a political process for turning out of office any official whom a majority of the House and two-thirds of the Senate wished to be rid of." Similarly Charles Warren comments in "The Supreme Court in United States History":

"Its gravest aspect lay in the theory which the Republican leaders in the House had adopted, that impeachment was not a criminal proceeding but only a method of removal, the ground for which need not be a crime or misdemeanor as those terms were commonly understood."

The foes of Chase further undermined their cause by trying to pass a constitutional amendment that would have given the President and a majority in Congress authority to dismiss any federal judge without trial. That move also failed, and the political branches had to accommodate themselves to a system under which they could not ride rough-shod over the courts. The shadow of the Chase case undoubtedly prejudiced many later efforts to use impeachment against official lawlessness and corruption.

The only serious attempt to use impeachment against the President came in the Andrew Johnson case after the Civil War. In this case, too, the forces pressing for impeachment overplayed their hand with the result that Johnson was acquitted by the Senate, although by only one vote. The country was close to being torn apart by the fanaticism of the Reconstruction. The Radical majority in the House seemed determined to force its will upon the country, with little regard for the methods used or for the consequences. President Johnson was much alarmed by rumors that his enemies in the House planned to put him under arrest or suspend him from office while the impeachment trial was pending.

Once more the offenses punishable by impeachment were defined in very broad terms. At Johnson's trial the manager for the House commented:

"The result is, that an impeachable high crime or misdemeanor is one in its nature or consequences subversive of some fundamental or essential principle of government or highly prejudicial to the public interest, and this may consist of a violation of the Constitution, of law, of an official oath, or of duty, by an act committed or omitted, or, without violating a positive law, by the abuse of discretionary powers from improper motives or for an improper course."

This brought an equally sweeping rejoinder from Johnson's defenders. Former Justice Benjamin R. Curtis, one of Johnson's counsels, told the Senate:

"My first position is, that when the Constitution speaks of 'treason, bribery, and other high crimes and misdemeanors,' it refers to, and includes only, high criminal offenses against the United States, made so by some law of the United States existing when the acts complained of were done, and I say this is plainly to be inferred from each and every provision of the Constitution on the subject of impeachment."

Corwin concludes that the Curtis view must be regarded as having prevailed, "not only on account of the failure of the impeachment, but because of the emphasis given by the House managers themselves to the contention that Johnson was guilty of a breach of the law, the Tenure of Office Act." But this is far from being conclusive. It is more reasonable to conclude that the House lost its case against President Johnson because of the inherent weakness of that case.

The basic charge against Johnson was that he refused to comply with an act of Congress which prevented him from dismissing appointed officials without the consent of the Senate. The act was a flagrant invasion of presidential power, as the courts ultimately recognized. It was Congress that was out of

step with the Constitution, and there is not much force to the argument that Johnson should have accepted the congressional mandate in spite of his misgivings about it, because restoration of the dismissed Secretary of War to his former post would have removed the grounds on which a test case in the courts could have been based.

As in the Chase impeachment case, moreover, the assault upon Johnson was accompanied by another outrageous coup that discredited the Radical cause. While the impeachment trial was still under way, the Radicals slipped through both houses an act taking away the jurisdiction of the Supreme Court to hear the *McArdle Case*, because of fear that the Court was about to strike down some of the Reconstruction laws on grounds of unconstitutionality. This gave rise to fears that the impeachment trial was but one act of a drama designed, as Gideon Welles said, "to overthrow not only the President but the Government." Johnson made his relations with Congress worse by vetoing this bill. Congress passed it over his veto, which alarmed many moderates who feared that Representative Thaddeus Stevens and his colleagues were on a power binge that would endanger personal liberties as well as constitutional government.

There is very little in either the Chase impeachment or the Johnson case to guide Congress in 1974. The charges against President Nixon are much broader than the charges against either Chase or Johnson. If the House decides to bring in a bill of impeachment against the President, it could rest its case on basic constitutional principles without relying on either narrow technicalities or sweeping generalities.

The founding fathers avoided any narrow definition of impeachment for the same reason that they avoided excessive detail in other sections. To paraphrase Marshall, it was a Constitution they were creating. Certainly there was purpose in treating impeachable offenses differently from other crimes. They assigned the impeachment power to the House and Senate rather than the courts because it involves no question of punishment for crime; the only penalty on conviction is removal from office. The underlying object was not to punish a criminal but to save the country from officials whose conduct has been so treasonable, subversive, illegal, or otherwise outrageous as to imperil the welfare of the nation or its people.

For this reason, it is impossible for anyone to determine in advance whether any particular offense or series of offenses is impeachable. The Senate has to judge each impeachment on the evidence presented and the circumstances surrounding the alleged offenses.

Very little in these records of the past is worthy of emulation. What does stand out is a potent warning that, if the course of impeachment is to be taken, the charges to be pressed should be grave and substantial, the trial of such cases should be disentangled from politics so far as that is humanly possible, and Congress should not use the crisis resulting from an impeachment effort to enhance its own power at the expense of the legitimate responsibilities of the executive branch.

At the same time, Congress must be aware of the dangers of inaction. Some observers believe that, if Congress should fail to proceed against President Nixon in the face of mounting evidence that he has bungled and mismanaged his office, thwarted the processes of justice and twisted his credibility, it will lose its power to check any future presidential corruption or grab for power, however flagrant it may be. Despite the failures and abuses associated with the power of impeachment, it has always been a potentially vital factor in the relations between Capitol Hill and the White House. Congress

cannot rationally allow it to become a dead letter.

Logic thus calls for a candid and thorough examination of the President's fitness to continue in office, without partisan brawling and without any power-play designed to shift legitimate executive responsibilities to Capitol Hill. The Democrats might well take a hint from the Republicans in Congress in 1937 who fell into the background and let dissenting Democrats take the lead in the fight against President Roosevelt's court-packing bill. The current grave situation calls for an exhaustive examination of the facts and a judicious trial in the Senate if the House decides that impeachment is warranted. It is a critical time for the President, but no one should forget for a moment that Congress too is on trial, against a background of shabby performance in somewhat similar circumstances of the past.

THE FAMILY FARM IS STILL BEST

HON. ANCHER NELSEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 1974

Mr. NELSEN. Mr. Speaker, the New York Times Sunday edition last week carried an article in its business section which I found most interesting. I believe a number of my colleagues who have extensive agricultural operations in their districts will also be interested in reading this piece, and so I ask that it follow my remarks in the Record.

This article says it all in one phrase, Mr. Speaker, and I quote, "who wants to sit up with the corporate sow at night?" Corporations which get into farming just are not aware how much dedication it takes, the hours and devotion it takes to bring home the bacon—no pun intended. A lot of fears have been expressed about the impact of big companies on the agriculture sector, and I believe this article will help put some of them to rest.

The article follows:

NO KEEPING THEM DOWN ON THE FARM
(By George L. Baker)

Having waited in vain for a golden harvest, many corporate giants are sadly coming to the conclusion that the farming business is not for them.

Scores of companies rushed into farming, mostly in the West, during the late nineteen-sixties. They were mesmerized by the profit potential, the long-range prospect of food shortages, tax advantages and the notion that a 10,000-acre farm would be 10 times more efficient than a 1,000-acre farm.

It seemed like such a good plan at the time, but these corporate latecomers might have saved themselves considerable grief had they looked at the experience of the Di Giorgio Corporation.

Twenty years ago, Di Giorgio derived 100 per cent of its revenues from agriculture and related enterprises. Last year only 2 per cent of this company's \$459.8-million in revenues came from farming—a stunning about-face.

In 1959, Di Giorgio set as its goal an annual growth rate of 10-15 per cent, according to its chairman, Robert Di Giorgio.

"If you want regularity of earnings over a period of five to 10 years, it's hard to do that in farming," he declared. "When you're in farming, you are subject to things beyond

your control—weather, oversupplies, under-supplies and market conditions."

Di Giorgio phased out just as the rush began. This turned out to be wise strategy since the projected cornucopia of profits never came.

After taking their financial lumps, such companies as the S.S. Pierce Company, CBK Agronomics, Inc., the Gates Rubber Company, Multiponics, Inc., and Gulf & Western Industries, Inc., later got out entirely. Others, such as the Purex Corporation, Ltd., and Tellico, Inc., are now retreating.

Not all diversified corporations, however, have pulled up stakes and gone back to the city. Some of them remain involved in farming in an indirect way (mostly through limited partnership syndicates).

Yet there is a lesson to be learned from the failure of corporate farming ventures: It seems that the usual corporate standards of productivity, pricing, quality control and lower-level management cannot be transferred to a \$130-billion industry where so many imponderables predominate.

One of the most startling failures has been that of Purex, the Lakewood, Calif., producer of home-use products. As part of its diversification program, the company went into the business of lettuce and fresh produce, hoping to capitalize on its marketing skills.

Today Purex is retrenching as fast as it can. Now it is growing only 11,500 acres of grain and cotton, compared with 40,000 acres in California and Arizona two years ago.

Rodger R. Robbins, executive vice president of Purex, attributed the poor performance of its Fresh Pict subsidiary to a "horrible labor situation" stemming from a contract it signed with Cesar Chavez's United Farm Workers of America in 1970. (Other people in the farming industry say that Purex's problems were more deeply rooted and that a proposed Federal Trade Commission complaint alleging monopolization of the lettuce industry also was a factor.)

"When we started we had all kinds of charts showing price averages," said Mr. Robbins. "But I think the thing we didn't anticipate was inflation. We looked at the averages and it looked good to us. We ended up not being able to harvest a lot of crops and this increased our costs a lot more. Production costs went up, prices went down and we were caught in a cost-price squeeze."

Mr. Robbins said he had originally expected Fresh Pict to be able to return at least 25 per cent on stockholders' equity, but in one year alone it sustained a loss of almost \$800,000.

Eric Thor, agricultural economist at the University of California and former administrator of the Agriculture Department's Farmer Cooperative Service, says that diversified corporations simply are not good farmers.

"There's an old saying of who wants to sit up with the corporate sow at night," he said. "There is plenty of data to show that large (absentee) corporations have higher production costs and get lower yields than do farms where the operator is a part-owner."

"The real risk in a hired manager is that he can't make decisions very well. He's more concerned about his job than about production of crops. He knows that if he makes a bad decision he might get fired, so he waits for someone higher up to approve it. Sometimes it's too late to save a crop."

Gates Rubber, a privately held corporation in Denver, found out about management problems. It invested several million dollars (the company won't say how much) in 10,000 acres of sugar beets and wheat in eastern Colorado and waited for the profits to roll in.

They never did. Gates lost money three years in a row. In 1971 it unloaded its land, expensive irrigation system and equipment.

Robert Schramm, vice president of the Superior Farming Company, a subsidiary of the Superior Oil Company, Houston, thinks there can be a place for corporations in agriculture if management understands the cyclical and uncertain nature of farming.

Superior, which farms 35,000 acres in California, has some of the most sophisticated and expensive equipment in the state. But its venture has not turned a profit in five years and probably won't for the next 15.

Even when a company attempts to stabilize prices, however, trouble can arise. United Brands, Inc., known for its Chiquita bananas, paid \$17-million for seven West Coast lettuce farms and set a goal of 25 per cent of the national lettuce market.

With so big a market share, the company figured it could afford a heavy advertising program of brand identification, thus helping to stabilize prices, which can swing from \$1 to \$7 a carton.

But now United Brands is fighting an F.T.C. order to liquidate its fresh produce subsidiary, Inter Harvest, Inc. which had a deficit of \$8,287,000 in 1970.

The illusion of corporate efficiency was shattered. United Brands told the F.T.C. "at the farm level (the company's) size does not bring with it any significant cost benefits." It added, "farming has severe built-in limitations on size in terms of diseconomies of scale."

S. S. Pierce, based in Boston, also knows about diseconomies of scale. This distributor of quality food products attempted to apply its corporate management techniques to California's strawberries, a fruit normally grown with great care on sites of 25 to 50 acres.

Pierce planted more than 2,000 acres and tried to grow strawberries in blocks as big as 500 acres, a perilous undertaking for even an experienced farmer. It quickly ran into financial problems. Pierce had a loss of \$4.5-million on sales of \$10 million.

Even Tenneco, the Houston based multinational company with sales last year of \$3.27-billion, has pulled back from its vow of handling food from "seedling to marketplace."

A former executive of Tenneco said it had de-emphasized farming because of "all the heat," including disputes with Mr. Chavez's union, criticism from social reform groups and an investigation of its grape-growing activities by the F. T. C.

Economist Thor believes the trend toward corporate farming has abated.

"The outlook is brighter now than it was four or five years ago in terms of local autonomy and control," he said. "Back then it looked as if the big companies were going to take over California agriculture."

FATAL AUTOMOBILE ACCIDENTS REDUCED IN PHILADELPHIA

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 1974

Mr. EILBERG. Mr. Speaker, Philadelphia's fatal accident reduction enforcement—FARE—program, funded by a Federal grant of \$504,000 achieved a 50-percent reduction in fatal traffic accidents during the past year.

Conducted over 7 months from May through December, the drive was concentrated in 14 high fatality areas by intensified police patrols that worked 38,377 overtime hours.

There were 20 fatal crashes in which 31 persons—9 pedestrians and 22 car occupants—were killed. This compares to a total of 41 fatal accidents over a comparable period in 1972 in which 28 pedestrians and 20 vehicular operators lost their lives, for a total 48.

City Managing Director Hillel S. Levinson said a Police Department statistical breakdown shows there were 24,855 traffic violations during the FARE operation. These include 2,325 drivers charged with speeding, 718 for failure to yield the right of way, and 313 apprehended for driving while intoxicated.

In addition, 525 were ticketed for running through a stop sign while 8,334 were cited for failing to stop at a red light. Hazardous parking accounted for 12,643 other violations.

The cooperation of the news media in keeping the public informed of the drive's main objective was also of great assistance. They reminded motorists of the continuing need to drive with care. I am sure this contribution was responsible for preventing many accidents and thereby saving more than a few pedestrians and motorists from incurring fatal traffic injuries.

FUEL-ALLOCATION LOOPHOLE

HON. CHARLES E. CHAMBERLAIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 1974

Mr. CHAMBERLAIN. Mr. Speaker, while fuel allocation regulations attempt to equitably distribute energy shortages throughout our economy, it is obvious that certain industries are carrying a disproportionate load, and some, in fact, are going under. The critical plight of the plastics industry is a case in point, and is well illustrated by Jeffrey Perlman in an article in the Wall Street Journal, of January 28, which I ask to be included in the RECORD following my remarks.

Apparently it is not enough to provide raw materials and feedstocks to petrochemical manufacturers, when no effort is made to assure users of intermediate refinery products that they, too, will receive a fair share. Federal Energy Office regulations must be more responsive to inequities in product distribution patterns that are virtually wiping out small businesses throughout the country which depend on plastics. I urge that this matter receive the immediate and thorough attention of the officials of the Federal Energy Office.

The article follows:

SMALL CHEMICAL AND PLASTICS FIRMS FEAR BANKRUPTCY DUE TO FUEL-ALLOCATION LOOPHOLE

(By Jeffrey A. Perlman)

A loophole in the U.S. fuel-allocation program threatens to bankrupt many small chemical and plastics concerns, manufacturers say, stating that they believe current raw material shortages are due to economic factors rather than to the energy crisis.

As a result, the manufacturers are seeking government export curbs on the petrochemical raw materials that are in short supply.

The problem, according to Peter Fass, executive vice president of Reichhold Chemicals Inc., is that petrochemicals derived from oil and natural gas aren't covered by the Federal Energy Office's fuel-priority system. However, Federal officials have said publicly that the petrochemical industry is to receive "100% of current needs" when it comes to getting petrochemical feedstocks.

Oil companies selling petrochemicals have told industrial customers that the phrase "feedstocks" includes products like fuel oil and naphtha, and doesn't include the styrene monomer or benzene, for example, which are made from oil and naphtha and go into many plastic products molded by small private companies. Styrene and the benzene used to make styrene are so scarce that they're being sold through black markets, executives say, largely because these downstream, or intermediate, refinery products don't have to be allocated fairly by the companies that make them.

UNFAIR TO SOME COMPANIES

According to Mr. Fass, petrochemical suppliers can use scarce raw materials for their own operations or sell them on the open market. He believes this is unfair to companies like Reichhold Chemicals, which must compete with others for the reduced supplies then available.

Frank Zarb, Federal Energy Office administrator in charge of enforcing allocation rules, said in an interview that the oil companies are correct in assuming that only the basic products produced by an oil refinery, and not the downstream products, were considered "feedstocks" when the allocation program was set up.

Asked what would happen to a plastics company unable to get styrene supplies from a chemical company recently given 100% of its oil or naphtha requirements, Mr. Zarb said: "We cannot afford to let that happen to the small guy. Steps will be taken to make sure that the companies allocated 100% of their feedstock requirements pass this benefit on to their small customers."

The energy office might not have statutory authority to require a chemical or oil company to sell a specific oil-based product like benzene or styrene to a customer, Mr. Zarb cautioned, but such authority will be sought from Congress if it's needed, he indicated.

Mr. Zarb cited as an example a company that quits making a product, thereby removing some customers' only supply source at a time when other producers won't take on new accounts. This situation won't be tolerated, he said, and the original supplier will be ordered to find an alternate source for its customers.

"BOOTLEG" RAW MATERIALS

Businessmen, like Theodore Riky, co-owner of Randel Plastics Inc., New York, say they're offered "bootleg" styrene and other raw materials daily from small commodity brokers who seem to get their supplies "from nowhere." Mr. Riky and other manufacturers claim this material is black-marketed at four or five times the Phase 4 ceiling price. Several company officials said they believe domestic supplies are sent out to sea in tankers and then returned to a different U.S. port to be sold as imports free of Phase 4 controls.

None of the company officials could prove their conjecture, however. And Union Carbide Corp., Shell Oil Co. and other petrochemical concerns—who sell to people like Reichhold's Mr. Fass and Randel's Mr. Riky—deny they're diverting large domestic stocks to foreign markets or commodity brokers to reap higher profits. But while Commerce Department records indicate benzene exports, for example, didn't increase much during 1973, exports of polystyrene, which is made from benzene, have soared more than 30% in recent months.

This has prompted angry meetings be-

tween Mr. Riky, Mr. Fass and trade groups such as the Society of the Plastics Industry Inc. and the Organization of Plastic Processors on one side, and Federal Energy Office staffers, Commerce Department officials and the Cost of Living Council on the other. Manufacturers have demanded decontrol of raw material prices and fair allocation of downstream oil-refinery products like benzene and styrene. The Commerce Department is developing a proposed export-licensing program to help stem raw material exports.

Without these actions, executives say, the U.S. will face plant closings and shortages of plastics-based consumer products ranging from plastic cups to refrigerators and television sets.

HIGHWAY TRUST FUND

HON. WILMER MIZELL

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 1974

Mr. MIZELL. Mr. Speaker, during the 1st session of the 93d Congress I introduced legislation to provide a more equitable distribution of funds from the highway trust fund to the States for road construction.

At that time, I pointed out the huge disparity of returns on investments in the fund by the various States, with North Carolina ranking 49th in per-dollar return for its contribution to the highway trust fund.

North Carolina in 1972 received only 51 cents in return for every dollar it contributed to the highway trust fund, while other States fared far better, ranging up to Alaska's \$7.25 return for every dollar contributed.

To correct this inequity, my legislation directs the Secretary of the Treasury to guarantee that no State shall receive less than an 80-cent return on every dollar it contributes to the highway trust fund. A majority of the 50 States currently receive less.

A growing number of county commissions and chambers of commerce in North Carolina are endorsing my proposal and for the benefit of my colleagues I include in the RECORD at this time a sampling of these expressions of support, in the hope that my colleagues will consider the support this measure might earn in their districts and States.

The sampling of support follows:

ASHE COUNTY

CHAMBER OF COMMERCE,

West Jefferson, N.C., October 30, 1973.

HON. WILMER D. MIZELL,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN MIZELL: The Executive Committee of the Ashe County Chamber of Commerce has instructed me to write you and inform you of their wholehearted support of HR10549 which if passed would insure that no State would receive less than 80% of the amount collected in federal gasoline taxes within that state.

It is the Committee's understanding that at present North Carolina receives only fifty two cents out of each gasoline tax dollar collected by the federal government, and that our neighboring states of Virginia and Tennessee receive over \$1.00 for every dollar they collect. This is indeed a very inequitable apportionment system, and the Committee

wishes to express their appreciation to you and to the other North Carolina representatives who have introduced this legislation in Congress.

Very truly yours,

A. B. ADDINGTON,
Executive Secretary.

CHAMBER OF
COMMERCE, INC.,

Mount Airy, N.C., November 13, 1973.

Congressman WILMER D. MIZELL,
Cannon House Office Building,
Washington, D.C.

Sir: The Board of Directors of the Mount Airy Chamber of Commerce want to apprise you of their support for House Bill H.R. 10549 which would insure North Carolina getting its fair share of federal gasoline tax monies.

We appreciate your sponsorship on this Bill and your continued good work in representing us.

Sincerely,

JAMES C. GRIMES,
Executive Vice President.

ROCKY MOUNT
CHAMBER OF COMMERCE,

Hon. WILMER D. MIZELL,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN MIZELL: Your sponsorship of H.R. 10549 to insure more equitable distribution of Highway Trust Funds to the states has been unanimously endorsed by our Directors for the Rocky Mount Chamber of Commerce and its 700 business and professional members.

We deeply appreciate your efforts to correct this longstanding inequitable arrangement through which our state has suffered.

Please let us know what specific actions we may take to enhance the chances of H.R. 10549 becoming law.

Sincerely,

R. NEIL CHAFIN,
Executive Vice President.

PLYMOUTH AND WASHINGTON
COUNTY CHAMBER OF COMMERCE,
Plymouth, N.C., November 6, 1973.

Mr. WILMER D. MIZELL,
Representative, House of Representatives,
Washington, D.C.

DEAR MR. MIZELL: This letter is to notify you that the Plymouth and Washington County Chamber of Commerce went on record at our Board of Director's Meeting on October 30th supporting Bill No. H.R. 10549 one hundred percent, and they ask that we seek your continued support of this bill.

Yours very truly,

LOGAN N. WOMBLE, President.

RESOLUTION

Whereas, Congressmen Mizell, Broyhill, Jones, Martin and Ruth have introduced a bill into Congress of the United States; and,

Whereas, this bill is to amend Title 23, United States Code, to insure that no State will be apportioned less than eighty (80) per centum of its tax contribution to the Highway Trust Fund, said bill being designated as H.R. 10549; and,

Whereas, it is the belief of the Board of Commissioners of Stanly County, North Carolina, that H.R. 10549 has a tremendous amount of merit and should be adopted by the Senate and House of Representatives of the United States of America in Congress assembled; Now Therefore,

Be it resolved by the Board of Commissioners of Stanly County, North Carolina, that this body does praise each of the above Members of Congress for their thoughtfulness in the introduction of H.R. 10549; and we do encourage favorable action on this bill.

Be it further resolved that a copy of this resolution be sent forthwith to each Congressman for his use.

This resolution passed and adopted this 22 day of October, 1973.

SALISBURY-ROWAN COUNTY,

CHAMBER OF COMMERCE,
Salisbury, N.C., November 14, 1973.

Hon. WILMER MIZELL,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN MIZELL: James T. Rusher, Executive Vice President of the Albemarle-Stanly County Chamber of Commerce, recently made us aware of H.R. 10549, which North Carolina Representatives Ruth, Broyhill, Martin, Jones and yourself have introduced in Congress to secure a more equitable distribution of Federal gasoline tax monies to all states.

At our last Board meeting held Monday, November 12, 1973, this bill was presented to our Board of Directors for action.

We are happy to pass on to you our Board of Directors' one hundred per cent approval of your bill. They were certainly surprised and shocked at the inequities in the present system of returning gasoline tax monies—specifically with North Carolina receiving less than any other state in the union.

Our highway program has suffered long enough, and with your leadership in introducing this legislation and gaining passage, it could have a tremendous effect upon the highway program in North Carolina and possibly our county.

Sincerely,

WILLIAM W. SHIVES, Jr.,
Assistant Executive Vice President.

HIGH POINT CHAMBER OF COMMERCE,
High Point, N.C., November 28, 1973.

Congressman WILMER MIZELL,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN MIZELL: We commend you for introducing HR 10549, a bill to amend Title 23, United States Code, to insure that no state will be apportioned less than 80% of its tax contribution to the Highway Trust Funds.

The Board of Directors of the High Point Chamber of Commerce passed a motion at its November meeting endorsing the bill and has authorized me to write our North Carolina delegation asking support for it.

The attached editorial from the High Point Enterprise explains our reasoning for supporting this bill.

Sincerely,

EDWARD R. HARDIN, President.

TRYING TO GET A FAIR SHARE

It is too bad, it seems to us, for there to have to be consideration given to setting up artificial restraints in such things as federal funding for highway spending, but unfortunately, the alternative is worse.

The federal government takes huge amounts of money into its highway trust fund from fuel taxes, and it does this money back to the states for highway building and improvement. By all reason, that distribution ought to in some way reflect the facts of need as evidenced by the amount of vehicular traffic—in other words, the amount paid in ought to be some indication of what sort of traffic problems a state faces.

But the realities of the situation don't seem to attest to that truth. The states of Virginia and Tennessee, for instance, receive back more than a dollar for every dollar their motorists pay in, we are told. Up in Alaska, perhaps unsurprisingly, they get something more than \$7 back for every \$1 in taxes paid. The adjacent state taxes become peculiar when one learns that North Carolina gets back only 52 cents which is, according to Chamber of Commerce information, the lowest return in the country.

We do not claim enough statistical knowledge on this subject to know how Washington figures its yardsticks, but pure logic tells us that North Carolina has got no business being at the very bottom of the list. Were we the heaviest traveled, as some state like New Jersey probably is, or the least, which

Alaska wins hands down; were we the richest state in the nation; or if any of several other superlatives were to rightfully fit, it might be better understood. In the absence of more expert explanation, we simply have to assume that something is definitely out of kilter in the Potomac mud flats.

And so think others. They have, to hark back to our first paragraph, seen fit to introduce a bill in Congress to set up those artificial limitations. If H.R. 10549 is passed in its present form, no state would get less than 80 cents back for every dollar contributed. The Chamber and other interested groups are making it a point to let Congressmen know that they would like to have this measure passed.

We believe that this encouragement is worthy of wider participation until such a time as we can be convinced that 52 cents is our fair share.

HOW TO MARKET DURING PERIODS OF SHORTAGES AND CONFUSION

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 1974

Mr. KEMP. Mr. Speaker, Metromedia, Inc.—the leading nonnetwork broadcasting group in the United States—under the leadership of its president, John W. Kluge, is sponsoring a series of marketing essays in the major dailies. This series communicates thoughts on marketing by authorities in government, business, and education, for the expressed purpose of creating a broader public understanding of the vital importance of America's marketing system and America's marketing professionals.

Writing in the current article in the series, Philip Kotler, the Harold T. Martin professor of marketing at Northwestern University and a prominent author in the subject field, has given insight into how to market during periods of shortages and confusion, in other words, how to market in these times.

Mr. Speaker, I share the concerns of Mr. Kluge, Metromedia, and their adherents, but I share something else with them too. I share their optimism for the future; I share their optimism for America. And, I commend this valuable article to all who share these concerns and aspirations with us. The article follows:

How To Market During Periods Of Shortages And Confusion

(By Philip Kotler)

(Professor Kotler received his Master's degree at the University of Chicago and his Doctor's degree at M.I.T., both in economics. He did post-doctoral work in mathematics at Harvard University and in behavioral science at the University of Chicago. He is the author of Marketing Management: Analysis, Planning and Control, the most widely used marketing book in graduate business schools in the U.S. and abroad; Marketing Decision Making: A Model Building Approach; and the forthcoming Marketing for Nonprofit Organizations. In addition, Professor Kotler is an active consultant to many companies on marketing systems and planning. He is the former chairman of the College on Marketing of the Institute of Management Sciences, and a former Director of the American Marketing Association.)

MARKETERS WILL NEED NERVES OF STEEL IN 1974. Their vision and flexibility will be tested as never before. It is not easy to recall

another period posing as much confusion and frustration.

Other years usually have a clear character. Times are good and getting better. Times are bad and getting worse. Times are going to stay the same. None of these pronouncements can be made about 1974.

Every day brings news that change yesterday's picture. Before the Mideast War, economists predicted a moderate rise in real income and prices. Shortly after the war, the oil embargo plunged many companies into shortages and despair. Businessmen dug in for hard times. As the oil embargo is eased or lifted it will raise hopes again. Some forecasters see a return to normal. Others see deepening shortages of energy and materials.

Businessmen are used to taking calculated risks. The thing that is new about these times is that no one can agree on the odds. They are changing daily.

Marketers are bearing a major burden of this decision-making under uncertainty. Should they raise prices? Should they reduce advertising? If so, where? Should they change existing product features, styles, and packaging, to meet new concerns of the marketplace? Should they postpone or expedite new product launchings? Can they get the supplies? Should they accept management proposals to cut staff and marketing expenditures? Should they drop weak customers? What does the law say? Should they act or should they wait? Waiting itself is a decision.

HOW TO SURVIVE AND PROSPER

The marketing concept is a concept of how a firm can survive and prosper in the long run. It holds that the most important thing about a firm is not its physical assets: plant, equipment, raw materials. They can become valueless overnight without customers. The major asset that a firm has in the long run is loyal customers. And loyal customers are not created by serving them royally during good times and charging them what the traffic will bear during bad times. Loyal customers are created by companies that are helpful to their customers at all times. A truly market-oriented company during a shortage period would work as hard as ever with their customers to help them solve their problems. The company does not abandon its customers in the kitchen to put out their own fires. The market-oriented company knows that it cannot build a growth business by helping its customers only in periods when they do not need much help.

The accelerating pace of change challenges the marketing man's mettle. In talking with marketing managers in many parts of the country, I have detected five different response profiles:

The business-as-usual marketers expect the current shortages in fuel and materials to be over in a matter of months. They have faith in American technological and administrative ingenuity to restore quickly an orderly market for goods and services. They are not altering their marketing plans or policies.

The panicked marketers are changing their marketing programs overnight. If they control a scarce good, they are cutting off weaker customers, reducing supplies to others, raising prices, cutting advertising, laying off salesmen, and trimming the marketing department.

The gloom-and-doom marketers foresee chronic shortages plaguing the economy. It might be fuel this year, food next year, minerals the following year. They don't see the economy ever returning to the runaway economics of the past where everything got bigger and better and little thought was given to the way the nation used its resources. This group is planning a profound revision of their marketing premises to accommodate to an Age of Shortages.

The resourceful marketers see shortages as creating numerous opportunities for aggressive companies. Instead of drawing in their horns, they want to attack new markets with products that solve new problems people are facing. They welcome and relish the challenge and want to charge forward like a bull in the pen.

The adaptive marketers believe not so much in a particular response but in a system of flexible response. They recognize change as always occurring and posing new opportunities and responsibilities. They have established first-rate systems for information gathering and contingency planning. They have thought through their responses to different possible marketing environments. They are ready to adjust marketing programs when there is sufficient evidence that a new environment has emerged.

I have great admiration for the last two types of marketers. They have not committed themselves to a particular position and closed the doors on others. They know how to market if times should get better and if times should get worse. They are alert and resourceful.

INITIATE ACTION NOW

What are some of the things that adaptive and resourceful marketing leaders are thinking and doing right now? What should you be doing? Here is a composite recipe for effective and responsible marketing in 1974:

Take the age of scarcity seriously. Read the newspapers and trade reports carefully on reported shortages. Ferret out their implications for your company and your customers. Watch your competitors' responses. Watch what legislators are doing in Washington.

Take a fresh look at your customers and their problems. If they want more goods than you can supply, don't simply act as if it is their problem, not yours. It is your problem, too. Your job has always been to help your customers solve their problems. That's how you earn their loyalty. Put your company to work on new solutions.

Take a fresh look at your product line. Customer desires are likely to undergo strong changes that you have to detect early. Listen with a third ear to new desires and expectations. You may have stressed style and variety in the past. You may have catered to a throw-away spirit. Is this still what people want? Are there new segments emerging who want economy or durability or something else that you are not now giving?

Cement your relationship with your suppliers. Those companies who have a policy of multiple suppliers and "play-them-off-against-each-other" are the first to be hurt in a goods crunch. They haven't earned their suppliers' loyalty. Re-examine your purchasing policy and make sure that you are building dependable long-term relations with your suppliers.

Help your company find the areas where marketing expenses can be cut safely. Have your department review the profitability of different customers, products, territories, trade channels, and marketing resources. Those entities that are chronically unprofitable should be weeded out. Certain marketing expenditures on advertising and promotion may be reduced. Or they may be channeled into messages to help the consumer adapt to the new situation or redirected to other products whose sales are slower. You should carefully consider what effect any reduction in advertising will have on your share of market. Don't forget, it is always expensive—and sometimes impossible—to recapture market share once you start down.

Vigorously preserve marketing resources you need. Management will put pressure on the marketing department to lay off what appears to be redundant personnel in sales, ad-

vertising, and marketing research. The chief marketing officer must proceed cautiously. He may eliminate some weak salesmen and some redundant marketing staff. But he must keep most of his team intact.

First, salesmen are needed to help customers solve their problems, to sell other products not in short supply, to provide service and expedite customer orders, and to supply information to customers as well as learn of new opportunities. Marketing researchers are needed to study customer product, territory, and trade channel profitability, to improve forecasting, to determine supply allocations to final customers, and to assess new market opportunities. Key advertising and promotion executives are needed to formulate revised messages to customers, to buy advertising efficiently, and to promote products that are not in short supply. The chief marketing officer must resist scaling down the company's marketing resources to such a level that the company is vulnerable and ill-prepared to return to energetic marketing when normal times resume.

Remember shortages are an opportunity too. The very definition of a shortage is that customers' needs are not being met. To the resourceful firm, this means that new ways must be found to meet customer needs. A shortage of heating oil is an opportunity to increase the sale of sweaters, fireplaces, and electric blankets; a shortage of gasoline is an opportunity to expand the sale of small cars, bicycles, and mass transportation; a shortage of clean air is an opportunity to develop new pollution control equipment.

Reassess your marketing philosophy. Make sure it responds to the needs of your company, industry and society. American consumers are showing a growing interest in conservation, consumer information, product safety, and advertising truthfulness. They are showing growing concern about life quality and real values. They want a return to sensibility marketing. They will increasingly favor companies who show industry leadership in responding to these needs. Companies must not promote consumption for the sake of consumption. They must find ways to deliver a higher quality of life and still make a profit. This is the new challenge facing America's marketing leaders.

PROPOSED JOINT RESOLUTION INTRODUCED IN INDIANA STATE SENATE BY HON. JOHN M. MUTZ REGARDING FORCED BUSING OF SCHOOLCHILDREN

HON. WILLIAM H. HUDNUT III

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 1974

Mr. HUDNUT. Mr. Speaker, on several occasions previously I have spoken before the House to express concern about the issue of forced busing of schoolchildren to achieve racial balance in the public school system of America. The vast majority of people in central Indiana and throughout the United States believe that action must be taken in this regard.

Senator John M. Mutz, a constituent of mine, has introduced a joint resolution in the Indiana General Assembly directing the Congress to call a constitutional convention for the purpose of proposing an amendment to the constitution of the United States concerning public school students. This joint

resolution has passed the Indiana Senate and it is pending before the House. For the information of my colleagues, I am including the text of Senator Mutz's proposed amendment. It is identical to the wording of House Joint Resolution 738 which I have introduced in this Congress and which is pending before the Judiciary Committee.

Once again I call upon the committee and the Congress to give this matter due consideration in view of the desires of a vast majority of our constituents.

The text of Senate Joint Resolution No. 3, introduced in the Indiana General Assembly, by the Honorable John M. Mutz is as follows:

SENATE JOINT RESOLUTION NO. 3

A joint resolution directing the United States Congress to call a constitutional convention for the purpose of proposing an amendment to the Constitution of the United States concerning public school students

Be it resolved by the General Assembly of the State of Indiana:

SECTION 1. That the Congress of the United States be, and hereby is requested to call a constitutional convention for the purpose of proposing the following amendment to the Constitution of the United States:

"ARTICLE —

"SECTION 1. No public school student shall, because of his race, creed, or color, be assigned to or required to attend a particular school.

"SEC. 2. The Congress shall have the power to enforce this article by appropriate legislation."

SECTION. 2. The Secretary of the Senate is directed to transmit immediately copies of this resolution to the Secretary of the Senate of the United States and the Clerk of the House of Representatives of the United States and to each member of the Congress from this state.

DAYLIGHT TIME POSING PROBLEM

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 1974

Mr. TEAGUE. Mr. Speaker, the recently enacted daylight saving time is causing problems all over the United States. I was one of a small group that voted against going on daylight saving time this winter, because I felt it would not provide any energy savings and would place undue hardship on our rural community. I was not aware of the extreme hazard it is placing on our small school-age citizens lives.

It is time we enact legislation to allow the country to revert back to standard time. If certain States feel they are better off on the present daylight saving time then those State legislatures can take care of their area.

I hope my colleagues in the House will read the editorial that appeared in the Bryan Eagle, Bryan, Tex., on January 13, 1974.

DAYLIGHT TIME POSING PROBLEM

Superintendent of Bryan Schools, W. K. Summers, has a situation right now that Mission Impossible team couldn't even solve. What to do about the government-

imposed daylight savings time which has thrown the entire system, the city, parents and children into a state of near panic.

The students are going to school in the dark and their safety is being questioned by every parent, bus driver, policemen and the school district itself. It's one of those situations that no matter what you do, it's going to displease some.

"We're been asked to comply with the daylight savings time by the government. We haven't seen any gas rationing or other things related to the energy shortage yet. Perhaps they exist. We simply are complying with the requests from our government. But if a child is hurt, I'm going to be blamed for it, no matter who's fault," Summers said.

He's been beleaguered by phone calls about the children's safety, the amount of gasoline the buses are using, the times at which the children are having to go to school. Does anyone have the remedy? If so, Summers would like to hear it.

First, A&M Consolidated did change its time for classes. But that change only brought the Consolidated class starting time up with Bryan. Consol schools are starting no earlier.

The situation was heightened when, on the first day of DST, it was a dreary, foggy day which made driving more hazardous.

Maybe some of the mothers who don't work can help divert the children across busy intersections—sort of serve as policemen. Perhaps more of the elderly people, many of whom now act as safety patrolmen, can be put to work doing more of it.

At any rate, this won't last long so we'll have to make the best of it. Everyone can pitch in and help. Drivers can be more careful and parents can teach their youngsters to be more careful.

No one is more worried about it than Dr. Summers, but his hands are tied. Give him a hand and help keep our children safe.

WITTPENN WRITES "THAT'S EARLE NOW" TO NEWS CAREER

HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 1974

Mr. GAYDOS. Mr. Speaker, the people of the Steel Valley area in my 20th Congressional District of Pennsylvania recently lost one of their champions when Earle V. Wittpenn stepped aside as editor of the Daily Messenger.

Earle is to be honored at a testimonial dinner February 2 by residents of the valley who will. I am certain, bestow on him a number of well-deserved accolades. But, I believe the greatest tribute which can be paid this man is to say he exemplifies what all of us believe members of the news media should be.

Earle is dedicated to the principle that our Nation must have a free press if our people are to have freedom. But, he also recognizes the awesome responsibility which accompanies a free press. He knew the press must be allowed to report the news, but it also must report it accurately and fairly.

For 8 years under his leadership, the Messenger provided its readers with colorful, penetrating accounts of the news of the day; whether it be the dry, routine adoption of a community budget or the exciting coverage of a "breaking" story. In his personal editorial column,

Earle was a hard-hitting writer; quick to condemn something not in the best interests of the citizens and taxpayers of the community, but equally quick to single out for public recognition those who performed acts and duties in a responsible manner. His column touched all bases and all walks of life. Through it, you learned not only what was going on in the Nation's Capital, also, what the grocer down the street thought about it.

Earle came to the Messenger in 1966 from the Douglas Dispatch in Douglas, Ariz., and rapidly established himself as a prominent member of the community. He became an active member of numerous civic, fraternal and community organizations. He further entrenched himself as a citizen of the Valley by recently marrying one of its own, the former Michele Phillips of West Homestead.

Earle's background in newspaper work stretches back to his high school days when he worked as sports editor for the Times in Weirton, W. Va. At 26, he was named editor of the Times. At that time he was the youngest editor in West Virginia, and he held the post for 15 years before joining the Dispatch in Arizona.

Mr. Speaker, I find it hard to believe this man has written "30" to his journalistic career and so, instead of bidding him a formal goodbye, I will close this tribute to him as he closed his editorial comments over the past 8 years: "That's Earle—For Now!"

C. JOHN MILLER—IPAA'S 20TH PRESIDENT

HON. GUY VANDER JAGT

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 1974

Mr. VANDER JAGT. Mr. Speaker, America's complex and challenging energy problems demand leadership. That leadership must be dedicated, knowledgeable, and well motivated. It must be found in Government and in industry.

I am pleased to advise my colleagues in the House that one of my constituents has recently been selected to serve in one of the key leadership spots in the petroleum industry. Mr. C. John Miller who has been elected the 20th president of the Independent Petroleum Association of America, is a partner in Miller Brothers of Allegan, Mich.

As the principal officer of the influential IPAA, which represents the independent oil and gas producers in governmental affairs, John Miller will provide enlightened and effective leadership of this important organization. In providing that industry leadership John Miller will also be rendering patriotic service to this Nation because that is the kind of businessman John Miller is—he has known what is good for his community, State, and country is also good for his business. For that reason he has a distinguished record of public and industry service.

In addition to his busy career as an oilman and civic leader, John Miller has

also found time to be a devoted husband and father to his wonderful family. As one who has valued his friendship for many years, I am personally aware of the fine attributes this distinguished American brings to his new responsibilities. I am looking forward to working with him in a government-industry relationship in behalf of sound Government policies affecting the independents who have such an important mission to fulfill in solving our Nation's crucial energy problems.

Mr. Speaker, the November-December 1973 issue of the *Petroleum Independent*, the IPAA publication, carried an interesting article on its new president, C. John Miller. I would like to include the text of that article in the CONGRESSIONAL RECORD at the conclusion of my remarks. The Members of Congress will be hearing about and from John Miller in the months ahead. I would like in this way to introduce him to my colleagues as a devoted family man with dedications to his country and to the American private enterprise system. He is an outstanding oilman whose advice and counsel should be sought and heeded as we deal with governmental policy affecting our energy outlook.

The article follows:

IPAA'S 20TH PRESIDENT C. JOHN MILLER

Allegan, Michigan, has a population of about 6,000. That's a long way from being a world oil center, but Allegan is the home of IPAA's new president, C. John Miller, and he wouldn't have it any other way.

John's oil company, Miller Brothers, is exactly what the name implies—a relatively small company that runs on team and family effort.

The time and effort John will have to devote to IPAA and the domestic oil industry are part of the philosophy he and his family live by. "In a company our size it just had to be that way or it wouldn't work," says John.

It's going to throw a bigger load on my brothers Gene and Jack while I'm IPAA President and if it weren't for their attitude, I couldn't begin to consider leaving them with my work.

"Gene and I have a warm relationship with each other, and he is a tremendous partner. And if Gene and I are gone—and we do travel quite frequently on business together—Jack takes over and always does an excellent job. He was our head driller when we were contracting, and he was our drilling superintendent when we got a little busier. And when we splinter off into other things, he's generally manager of whatever it is."

The teamwork that runs Miller Brothers also fits the community. The Millers are active and numerous.

John Miller's idea of relaxing is being active—whether it's with the First Baptist Church of Allegan or living on nearby Gull Lake in the summertime. John is chairman of the Board of Deacons; his wife Reva is a Sunday school teacher; his brother Gene and his wife are heads of the finance department; and his brother Jack, and wife, Phyllis are some of the "greeters" every Sunday. The rest of the family may not have titles but they all take an active part.

The church has a wide ministry and the Millers love it. "We're in the process right now of building a new addition," says John. After ball games on Friday nights, John says they've had as many as 400 kids in the basement of the old church. "We don't pressure them to do anything, but if they need someone to talk to we're glad to counsel them."

John is immediate past president of the Allegan Board of Education and is still a trustee but he doesn't belong to any other group in town.

"On demand," says John, "I'll play golf, but it isn't a pleasure—it's torture. And fishing is just too quiet for my temperament."

"I'm interested in just about all other athletics, though. I used to box; I like to fool around with weights a little; I like water skiing—almost as much as my son Mike, who is 19 years old. And my wife Reva is in love with our Tennessee Walking horses. We'd probably go into the horse business, but I'm afraid Reva would never sell any of them—she would rather keep them around."

A lot of John's time is spent with the Grand Rapids Baptist College where another Miller—his mother Verna—spend a lot of time as dorm mother.

"It's a relatively new school. It's about 10 years old at the present campus, and this year we'll have about 140 seminarians and about 650 college students. My mother and the rest of the family are very proud of the school. It's a fine facility with new campus buildings, and most of all, it's doing a really great job."

John and Reva Miller have four children: Mike, 19, Cindy, 17, Sarah, 15, and Sally, 13. "Mike's out of school, but with all the other Miller children and mine, a teacher could easily be facing three cousins in on class here in Allegan."

"I can't afford to put Mike to work in the oilfields, because he's making more money driving a truck than I could pay him as a roughneck or roustabout."

"He told me, 'Dad, I'd like to work for you but I don't know if I can afford the cut in wages.' He's honest—I'm sure he can't afford to work for me."

John must have been a little headstrong like his son, because who else would have taken cable tool, shallow-depth rigs, and gone into the oil business in Michigan back in 1953?

"I was with Seabees in Guam when my father died in 1953. I had planned on going into the road construction business. But when I got home the estate had a couple of drilling rigs, and there wasn't any market for selling them, so Gene and I bought the equipment from the estate and started in contracting."

John's dad and his brother had also operated as Miller Brothers ever since they moved into the state from Kentucky back in 1929. John was born in Paintsville, Kentucky, in 1931, but his parents moved to the Allegan area while he was an infant.

"My dad started in the oil field tending boilers when he was 12 years old in West Virginia. And he was still in the oil field when he died."

"When Gene and I started, we were strictly contractors, but as you know, most contractors take an interest in the deal, and eventually we started picking up a little oil production."

Miller Brothers still has two rigs but has moved out of the contracting business because most of the play up there is getting deeper. Most of their activity runs 4,000-7,000 feet, which means larger casing, better blow-out preventers, and all the more expensive equipment that goes along with it. "The business has changed drastically from when we started," says John.

"It's all pretty tricky pinnacle reef-type production in the Northern area. You may find something that's 1,000-1,500 acres, but at this time the rule of thumb would be closer to 240-400 acres. And some of them, of course smaller than that."

"Another unique aspect is that we'll drill an oil well in one place and a gas reservoir almost adjacent to it, and then just beyond that another oil well. They can be almost intermixed and yet each a separate and distinct reservoir."

"We have a lot of acreage we haven't evaluated, even though we've done a lot of geophysical work. It's a play that has quite a few years to go, and Miller Brothers intends to be heavily involved in it."

Of course, says John, the recent improvement in crude prices is going to pick Michigan production up even more. However, he says, a big objective for operators up there is to achieve price parity with alternate crude from Canada or any other producing area.

John isn't coming into the tough IPAA job without experience. He was the youngest president of the Michigan Oil and Gas Association ever had. He has also been president of the National Stripper Well Association. And that experience is already serving him well. These aren't quiet times in the political arena. The energy crisis is full-blown, the government is considering several alternatives to the energy problem, and John had no more than stepped into the job than he was called to Washington to testify before the Senate Interior and Insular Affairs Committee. Considering the international nature of the energy crisis and the importance of the Interior Committee's function, it was no job for an amateur. John and the IPAA staff spent several hours polishing his testimony and additional hours sitting in the hearing room waiting for his opportunity to testify. He was scheduled to go on at 2:30 p.m., Nov. 8, but got on at 5:30 p.m. that day. The next morning he mentioned that the national news ignored everyone but an environmental spokesman who came on after he did. Thus he was initiated into the Washington scene.

It's the beginning of a year of ups and downs and a continual plugging, which cannot be done without a wife willing to do without her husband physically and mentally at times. All the while, his partners will have to make do when a chore ordinarily handled by John comes up while he's in Washington and John—a man who loves the great outdoors with more fervor than any city-bred environmentalist could ever hope—will have to sit in the background while someone accuses him and the domestic oil industry of having no respect for the land.

What is his philosophy for IPAA itself?

"For one thing, this job is new enough itself. I don't have any great philosophy of operation or anything else. As far as I'm concerned, for me to come in and start making a bunch of waves would be ridiculous. This association is operating and going along well. I'm sure there are some things that need doing. The thing I'd like to do is to get the staff and committee chairmen to determine where improvements can be made and shore the weaknesses up. As far as I'm concerned, these next few years ahead of us have to be among the more interesting years that the oil and gas industry has ever experienced."

In the beginning and the end, John Miller says he and his family have one philosophy that they try to pattern their lifestyle after.

"There's a verse in Colossians 3:17," says John, as he pulls a New Testament out of his suit coat, "and it goes:

"And whatsoever ye do in name and deed, do all in the name of the Lord Jesus, giving thanks to God and the Father by Him."

"So," says John, "we kind of feel that if everything we get involved in is structured with that kind of a concept, it won't be wrong. And that's really the way we operate."

THE STRANGE HISTORY OF THE DEPLETION ALLOWANCE—II

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 1974

Mr. VANIK. Mr. Speaker, in my earlier remarks last week in the RECORD, I pointed out how percentage depletion—that sacred institution of our tax code—arose as a substitution, an expedient, to the

foggy concept of discovery value depletion. Discovery value was conceived as a special compensation to those courageous operators who explored for oil and gas. The provision was accepted despite the fact that one appeared capable of defining exactly why oil exploration was so risky as compared to other industries. In the absence of any logical argument to support the concept—and I was unable to find any—I am forced to conclude that Congress was genuinely confused when it enacted the depletion deduction.

This confusion is nowhere more evident in the arbitrary selection of the percentage at which depletion should be allowed. Over the years the 27½-percent figure for the percentage depletion deduction has become the most widely publicized figure in the tax code. For over 40 years—until 1969—the percentage reigned. It is interesting, in looking back, to see where it all began.

In hearings for the Revenue Act of 1926, The Senate Finance Committee recognized that the system of discovery value depletion—whereby a taxpayer's deduction is based on the estimated value of his discovered deposit—had become impossible to administer with any precision. As an alternative, they proposed the deduction be computed as a percentage of the taxpayer's gross income from the property during the taxable year. The startling fact that emerges in all of this is that the Finance Committee apparently just guessed at an equitable percentage.

At first glance, one would expect that the committee would attempt to correlate the benefits under discovery value and approximate a percentage of gross income accordingly. But no such effort appears ever to have been made. In fact, the Finance Committee appears not to have cared much about the percentage.

Senator Reed, in explaining his committee's proposal on the floor, stressed that what they were attempting to eliminate the administrative abuses that had arisen under discovery value depletion. There was no economic analysis to underpin the committee's recommendation of 25 percent. According to Senator Reed:

We are trying, by the Finance Committee amendment, to get away from . . . uncertainties and to adopt a rule of thumb which will do approximate justice to both the Government and the taxpayers. We find, then, that probably the best way to do it is to

provide that an arbitrary percentage on the gross value of each year's yield be chalked off for depletion.

One arbitrary percentage is as good as another, and when the committee bill came to the floor there was a series of amendments awaiting to alter the percentage. Some proposed a level as high as 40 percent. Senator Neely finally persuaded the Senate to increase the Finance Committee's recommendations by 5 to 30 percent.

The House typically did not consider the depletion deduction in its deliberation on the Revenue Act. In conference, however, the House receded with an amendment which established 27½ percent as the applicable rate for oil and gas. In presenting the conference report, the House managers again failed to discuss the provision. In short, the 27½ percent appears to have been a compromise between what the Finance Committee originally proposed and what the Senate finally passed. The fact that there was no debate on the provision in the House indicates that Congress probably did not know what it was getting into.

The end result is that Congress had actually multiplied one uncertain and flimsy idea—discovery value depletion—by another uncertain and flimsy idea—percentage depletion to come up with a windfall for the petroleum industry. Senator Couzens, a chief opponent of the depletion deduction, pointed to how percentage depletion had actually gutted the original congressional intent for the depletion deduction.

Because the deduction is tied to a different concept of capital than the depreciation deduction, discovery value depletion cannot be thought of as analogous to depreciation. Indeed, discovery value has injected into our tax laws a concept of capital which is inappropriate for tax purposes. Since the deduction for depletion is not tied to the taxpayer's actual investment in the property, it is in essence a subsidy, where the taxpayer can recover his initial investment many times over. Prof. Reid Hambrick has estimated that under the present system of percentage depletion—which, as we shall see, replaced discovery value depletion—the taxpayer generally recovers his investment 18 times over.

Discovery value depletion ran into immediate opposition on Capitol Hill. Senator LaFollette introduced an amend-

ment which would have killed the proposal as it came out of the Finance Committee. His amendment obviously failed. Despite vigorous efforts to defeat the allowance in the Senate, the House, curiously, had no debate on the provision. However, Representative Kitchen, chairman of the Ways and Means Committee, stated in explanation of the conference report:

There has some relief provisions, especially those known as the mineral, oil, and gas provisions, which I cannot subscribe to . . . I cannot subscribe to them because I regard them as pieces of special favoritism . . . I want to say that in my judgment they are unwise, unjust and unwarranted.

In hearings on the 1921 Revenue Act, Dr. Thomas S. Adams, a representative of the Treasury, expressed his opposition to discovery value depletion. In addition, he pressed for an annual limitation—but not a total limitation—on the deduction. He proposed 50 percent of net income. The Finance Committee at first balked, but finally recommended an amendment which would limit a taxpayer's annual deduction to 100 percent of net income. In 1924, this limitation was lowered to 50 percent of net income. This limitation remains today in present law.

What Congress first intended to do was allow the deduction to the little "wildcatter" who had spent nearly all of his money in exploring for oil and then discovered a well. That was the intent of Congress, as the evidence before the Ways and Means Committee and the Finance Committee of the Senate plainly shows, and as every Senator and Representative who was on those committees at that time must know. That idea has now been entirely abandoned, and this is so profitable and advantageous to the oil industry that it is proposed to extend it so that not only the little "wildcatter" but the whole industry will get the benefit. (emphasis added).

Senator Couzens submitted a chart to the RECORD to illustrate his point. It shows how Congress in multiplying one uncertainty by another came up with an industry bonanza. The chart is self-explanatory, but two significant figures bear mentioning. In comparing discovery value with percentage depletion for the years 1918, 1919, and 1920 the total depletion allowed would have been 89.6 percent higher if the 1926 act had been in effect. Likewise, the net taxable income would have decreased by 32.1 percent.

COMPARISON OF DEPLETION ACTUALLY ALLOWED OIL COMPANIES WITH DEPLETION ALLOWABLE UNDER 1962 REVENUE BILL.

[Discovery depletion included in depletion allowed]

	1918	1919	1920	Total
Number of companies	100	115	75	
Gross income from production	\$286,863,485	\$338,419,621	\$361,121,041	\$986,404,147
25 percent of gross income	\$71,715,871	\$84,604,905	\$90,280,260	\$246,601,037
Net income (computed without allowance for depletion)	\$76,985,704	\$66,431,726	\$59,595,303	\$203,012,733
50 percent of net income (computed without allowance for depletion) maximum depletion allowable under 1926 bill	\$38,492,852	\$33,215,863	\$29,797,651	\$101,506,366
Depletion allowed by income tax unit	\$18,188,848	\$18,958,781	\$16,381,431	\$53,529,060
Percent of gross income allowed as depletion	6.34	5.6	4.5	5.4
Percent of net income (computed without allowance for depletion) allowed as depletion	23.6	28.5	27.5	26.4
Net income taxed after deducting depletion allowed	\$58,796,856	\$47,472,945	\$43,231,672	\$149,481,573
Net income after deducting depletion according to 1926 bill	\$38,492,852	\$33,215,863	\$29,797,652	\$101,506,367
Percent of increase in depletion allowable under 1926 bill over depletion actually allowed	111.6	75.2	81.9	89.6
Percent of reduction in net taxable income when depletion is computed under 1926 bill	34.5	30.0	31.5	32.1

Note: The "25 percent of gross income" refers to the figure that was under debate. It was eventually raised to 27½ percent.

Source: Congressional Record, Feb. 11, 1926, pp. 3772, 3773.

In short, the value of the depletion deduction increased dramatically with the advent of percentage depletion.

The benefit was so appealing that other mineral industries were soon to catch on. The interwar years saw an expanding list of "risky" industries which supposedly deserved special treatment for their depleting resources. In extending these benefits, the Congress worked off its model for oil and gas. It never really reexamined what it had done.

Criticism of the proposal, however, did not stop. Articulate criticism was heard in periodic hearings with some of the most persuasive remarks being made by representatives of the Treasury Department. In 1930 in hearings before the Joint Committee on Internal Revenue Taxation a central controversy arose. It focused on the precise definition of "capital." On the one hand, there was the position held by Mr. L. C. Groton, a mining geologist, who maintained that a mine or well operator's capital was actually the resources in the ground. Under the principles of depreciation, therefore, the operator should be allowed to recover this capital through a tax deduction—the depletion allowance.

Mr. B. H. Bartholow, Special Assistant to the Secretary of the Treasury, offered a persuasive argument against Mr. Groton's idea of capital. He pointed to the fact that while the term "capital" might have the meaning described by Mr. Groton for some purposes, that concept was inappropriate for tax purposes. What really mattered was the amount the taxpayer invested in his property.

These provisions permit a return, as capital, of something which is not originally a capital investment... a concession no other taxpayers are getting.

This is the core reason the depletion allowance is a subsidy. It permits the tax-free recovery of dollar amounts that are far in excess of the taxpayers original investment. Because there appeared to be no justification for the subsidy the Roosevelt administration pressed for its elimination. In 1936 President Roosevelt himself wrote a letter to the Joint Committee on Tax Evasion and Avoidance in which he claimed that the oil depletion allowance was, "the most glaring loophole in our present revenue law—in 1936, one mining company deducted nearly \$3,000,000 under this provision, although it had already completely recovered the cost of its property—this was a sheer gift from the United States to this taxpayer and its stockholders."

Treasury Secretary Morgenthau proposed that the existing oil depletion allowance be replaced with a more logical and direct one. He pointed out:

One of the reasons asserted in behalf of percentage depletion of oil and gas is that it stimulates exploration for such properties.

Therefore, his feeling was that—

If this is a proper objective, it would be better achieved by a special depletion allowance to those who explore without indiscriminate extension of the same favor to all owners.

In support of his proposal, Morgenthau pointed out:

It would have cost the Federal Government about one-third as much to have paid all

the cost of every wildcat that was drilled in 1941 as to have allowed percentage and the associated intangible drilling expenses.

Despite its logic and economy, the Congress failed to act on Morgenthau's proposals.

In hearings on the Revenue Revision of 1950, the Treasury Department proposed the reduction of the percentage depletion allowance to 15 percent. John S. Graham, Assistant Secretary of the Treasury referred to the original congressional intent when he made the Department's proposal:

No one who is familiar with the oil business would underrate the significance of the so-called wildcatter even under present day conditions where the bulk of the exploratory work is done by the large integrated corporations. . . . The present depletion provisions, however, do not contribute substantially to (the wildcatter's) preservation.

The Treasury Department's recommendations obviously were not accepted. However, Mr. Graham's remarks touched on a point that has never been resolved in the controversy over the depletion deduction: Namely, if the deduction, as a subsidy, is geared to increase exploration by compensating for the risks of small businessmen, how can one justify allowing depletion for wells sunk by large corporations into known pools? We have already seen that the so-called risk argument is a specious one. There is nothing qualitatively different from a businessman exploring for oil and a businessman trying to market an electric fork—both are taking high risks. But the fatal flaw of the depletion subsidy scheme is that it is indiscriminate. It rewards successful wildcaters and timid freeloaders alike.

The 1950's saw the promotion of a new argument to support the special tax treatment of the oil industry—national security. In some of the most specious reasoning I have seen in my years in public life, the oil companies came before the Congress to proclaim: "Oil is vital to the national security. Percentage depletion is vital to the oil industry. Therefore, percentage depletion is vital to the national security." To see just how far the oil companies were willing to push the argument of national security, one need only refer to the remarks of Mr. Richard Gonzales of the Humble Oil Co., before the Ways and Means Committee in 1959. Mr. Gonzales declared:

Petroleum continues to be highly important to security even with the development of nuclear weapons and intercontinental missiles. The United States must be prepared to fight effectively by conventional means since it does not propose to start a nuclear war . . .

There is no reason Mr. Gonzales' argument could not be used.

Discussion of the depletion allowance was elevated to a new height in the hearings on the Revenue Act of 1963 before the Senate Finance Committee. In that year, Senator Long introduced S. 2057, a bill to allow a deduction to professional athletes for depletion of their physical strength, stamina and skill. The legislation proposed to allow a deduction for the taxable year in an amount which bore the same ratio to income derived from professional sports during the taxable year as the number "1" bears to

the number of years in the "career span" of the sport.

Senator Douglas discussed the proposal with Pete Retzlaff, president of the National Football League Players' Association:

Senator DOUGLAS. Mr. Retzlaff, I want to congratulate you on this statement. What you are saying is that you think professional athletes should have a depletion allowance as well as oil, gas, iron ore, clam shells, oyster shells, sand and gravel. . . . I have been expecting, as long as these depletion allowances on minerals are continued, that we must, in all logic, expect such claims as you are advancing to be put forward, and I think there is a good deal of justice in them, as long as we provide these other depletion allowances. . . .

Senator DOUGLAS. May I ask you this? I naturally understand you would wish to consider the professional athletes. I was never good enough to be a professional athlete myself but what about moving picture actors? They have a brief career, like flowers, many of them. Like the flowers of the meadows, they bloom and disappear from sight. Now its true that some such as Gable and others continue for a long period of time, but most of them disappear rather quickly. Shouldn't they have a depletion allowance for the wastage of their natural assets of attraction?

Senator DOUGLAS. . . . I am told that television, like Cronous, devours its children, too, and after a few years on television the public gets fed up with one, and one retires. Hasn't this been a depletion of social attractiveness, and, therefore, would not the television personalities be entitled to a depletion allowance?

Senator DOUGLAS. . . . Poets are in much the same position. Poetic impulse develops early in life, and then there are a very few poets who write good poetry after the age of forty. It is part of the ebullience of youth, so to speak. Shouldn't they receive a depletion allowance for the wasting away of their poetic inspiration?

Senator DOUGLAS. Here is an interesting thing, too. Mathematicians do not do much good work after the age of thirty. And there is another factor. When a man gets a Nobel Prize in science, thereafter, except with Einstein, he makes no contribution to science. He gets the Nobel Prize and then he lives on his laurels, and the flow of inspiration ceases. So I think we ought to provide a depletion allowance for Nobel Prize winners, too.

The first significant empirical analysis of the implications of the depletion allowance came in 1969 with the publication by the CONSAD Research Corp. of a study entitled, "The Economic Factors Affecting the Level of Domestic Petroleum Reserves." The study was conducted under the aegis of the Treasury Department and represents the first systematic attempt to analyze the benefits and costs of special tax treatment of oil and gas income. The study concluded:

Percentage depletion is a relatively inefficient method of encouraging exploration and the resultant discovery of new domestic reserves of liquid petroleum. . . .

The Tax Reform Act which was passed in the same year made the first significant change in the percentage depletion allowance in 43 years—the act re-

duced the allowable percentage from 27½ to 22 percent. Another important reform, the elimination of depletion on foreign production, was recommended by the Ways and Means Committee but failed to survive in the final bill.

A recent staff study by the Federal Trade Commission has added a new dimension to the problem. According to the study the operation of the depletion allowance has been perverted by the large, integrated oil companies—those firms which produce, refine, and market their own oil—and has operated to restrict entry into the refining industry by independent businessmen. The report outlines:

Under this (percentage depletion) system, the major integrated firms have an incentive to seek high crude prices. The high crude prices are, however, a cost to the major firms' refineries. Thus, an increase in crude prices implies an increase in crude profits but a decrease in refinery profits. The integrated oil companies gain because the depletion allowance reduces tax on crude profits, while refinery profits are not subject to the same advantageous depletion deduction.

In other words, the major oil companies, by boosting their internal transfer prices—the prices they charge themselves for their own crude oil—create another barrier to entry into the refining business. It is exactly the expansion of our domestic refining capacity which poses the knottiest energy problem in the years immediately ahead.

Confusion over the depletion allowance has today created a fundamental paradox in our public policy toward oil. Presently, we allow a depletion allowance to multinational firms supposedly to encourage them in a worldwide search for oil. At the same time we are prevented from bringing that oil—produced partially at taxpayer expense—to meet our own domestic needs. While the issue of the depletion allowance may be at least debatable in terms of domestic production, it is an absurd and untenable policy to extend taxpayer supported subsidies to the production of foreign oil which we never see.

The time has come to scrap the entire depletion scheme. It is ill-conceived: costly, wasteful, inequitable, inefficient, and anticompetitive. It is time to strip away all the misinformation, romanticism, and myth surrounding the oil industry and devise an equitable system of natural resource taxation which will serve our goals of security, economic growth, and environmental preservation.

A TRIBUTE TO MISS PAULA ANN MOON

HON. LAMAR BAKER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 1974

Mr. BAKER. Mr. Speaker, I rise to pay tribute to a most exceptional young lady. Miss Paula Ann Moon of Decatur, Tenn., has been elected by the county court to serve as register-of-deeds for Meigs

County in the Third Congressional District of Tennessee at the age of 18 years. This possibly makes her the youngest office holder in the State of Tennessee and perhaps the United States. Paula graduated from the Meigs Consolidated School in June of 1973 as valedictorian of her class and was employed immediately in the register-of-deeds office. Shortly thereafter, she was made deputy to the register-of-deeds who was suffering from what proved to be a terminal illness.

On October 8, 1973, Paula was elected by the Meigs County Court to assume the full duties of the register-at-large office. Not satisfied with this important and demanding position, on October 19 she accepted an appointment to serve as registrar for 18-year-olds registering in the area for the draft. I venture to say that young men turning 18 in Meigs County will find draft registration a far more pleasant duty with Paula officiating.

As a Congressman and a citizen, it means a great deal to me to know that we have young people willing and eager to assume the responsibility of an important public service office. It may be that there is undue pessimism regarding the young people of today.

I view the future of this country with more confidence when I see young people like Paula Moon exhibit such a high degree of talent and ability. With enough like her we need have no fear for the course this country will follow. I extend to her my congratulations and my appreciation. I feel fortunate to number her among my constituents.

"OPEN DOOR" TO THE FOREIGN TAKE OVER OF AMERICAN CORPORATIONS

HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 1974

Mr. GAYDOS. Mr. Speaker, the January 22 issue of the Wall Street Journal carried a lead story dealing with the stampede of foreign investors to buy in and buy up American corporations and companies.

According to the article, in just 5 short years foreign investments here have increased by 50 percent. Today, foreign investments total an estimated \$16 billion. That may not seem like very much—until you look at what has happened. In 1973 alone the amount of foreign investments in U.S. businesses increased by \$2 billion. That is triple what was invested in 1972 and 5 times what was invested in 1971.

This signals a dramatic turn of events which in my opinion my well prove disastrous to the American people in the long run if allowed to continue unchecked. I am gravely concerned that some future day we may wake up and find that industries vital to our national defense and the economic well-being of the American people, will be controlled by foreign nationals.

Accordingly on June 25, 1973, and November 6, 1973, I cosponsored legislation to regulate foreign investment in vital industries, particularly those dealing with energy, defense, agriculture and natural resources, so as to prevent foreign interests from acquiring control of American corporations. I am heartened to learn from the Journal that other prominent Members of Congress share my concern.

I think the message of the Wall Street Journal article will be of significant interest to my colleagues. The article follows:

BUYING IN: INCREASING INVESTMENT IN UNITED STATES BY FOREIGNERS IRKS MANY IN CONGRESS—THREAT TO BUSINESS IS SEEN; BUT OTHERS SAY RETALIATION WOULD SEVERELY HURT UNITED STATES; A THREAT TO THE "OPEN DOOR"

(By James P. Gannon)

WASHINGTON—The Japanese are invading Hawaii again. The Germans are establishing a beachhead in South Carolina. The British, of all people, are assaulting Wall Street. And there are rumblings of a massive attack by the Arabs.

That isn't an apocalyptic vision of some future American calamity but a description of a real foreign "invasion" of the U.S. that is reaching unprecedented intensity. Heavily armed with dollars, investors from abroad are buying into the American economy at a record clip. They are purchasing everything from farmland to fishing fleets, taking over well-known American corporations through stock purchases and setting up new plants to produce such varied goods as Swedish Volvos in Virginia and Japanese teriyaki and soy sauce in Wisconsin.

Not surprisingly, this surge of foreign investment in the U.S. is triggering a defensive reaction in Washington. As some lawmakers express alarm, at least three congressional committees are planning to investigate the trend and consider whether the U.S. needs new laws to cope with it. One panel starts hearings today, another tomorrow. The White House, eager to head off any stiff new controls over foreign investment, is mobilizing to fight for a continued "open-door" policy.

THE 1973 OPEN DOOR

Foreign investors certainly stampeded through the open door in 1973. While the Commerce Department won't publish the figures until May, unofficial estimates put the increase in direct foreign investment in the U.S. last year at more than \$2 billion. That is a record, roughly triple the \$708 million of 1972 and five times the \$385 million of 1971.

Last year's spurt pushed the book value of all direct foreign investments in the U.S. well above \$16 billion, up more than 50% in just five years. The figures on direct investments include outlays for new foreign-owned facilities in the U.S., such as the planned Volvo plant in Virginia, as well as purchases of 25% or more of the voting stock of an American corporation. But stock purchases of less than 25%, called "portfolio" investments, aren't counted.

The foreign investments are cropping up in many forms around the nation. They range from Japanese purchases of hotels in Hawaii and farmland in the Midwest to planned plants by a French tire maker and a German diesel-engine parts company in South Carolina. Wall Street has also witnessed a rash of takeover bids in the past year, including successful tender offers by British-based concerns for such well-known companies as Gimbel Brothers Inc. (department stores), Grand Union Co. (supermarkets) and Travelodge International Inc. (hotels).

THE POWER OF OIL

Besides these invaders, a new foreign investment power is on the horizon. Because of their rapidly rising income from dearly priced oil, the Arab states and other petroleum exporters will have billions of dollars to invest somewhere. U.S. government officials pooh-pooh alarmist visions of Arab oil sheikhs swooping down on Wall Street with bulging suitcases of "petrodollars" to gobble up American companies, but they concede that such wealthy lands as Saudi Arabia and Kuwait probably will look to the U.S. for some investments. Indeed, certain deals are surfacing already, such as the planned investment of \$250 million—largely government oil money from Lebanon and Kuwait—in U.S. real estate.

Government officials expect foreign investment in the U.S. to remain high in 1974, although it is unclear whether recent international economic developments will restrain or stimulate it. The recent resurgence of the dollar against other currencies could slow the trend by making such investment more expensive to foreigners. And Japan has limited investments by its citizens in securities of other countries. But officials here believe that the U.S. could become the most attractive haven for investment in a world shaken by the oil crisis, so that much of the excess currency reserves of the oil-producing nations may flow into U.S. investments.

Some U.S. politicians and businessmen are growing worried about the trend. Congressmen are getting complaints from the voters back home who either resent the alien "invasion" in general or feel that their own jobs or businesses are threatened. The political debate will heat up this week as two congressional subcommittees start hearings.

Today a House Foreign Affairs subcommittee will begin its hearings on the subject by calling nongovernment witnesses. Tomorrow Peter Flanigan, a presidential assistant, is scheduled to present the Nixon administration's views at a hearing called by a Senate Banking subcommittee. At least one and as many as three other congressional panels plan to stick their oars into the troubled foreign-investment waters in coming weeks.

DIFFERING OPINIONS

Sure to emerge is a wide difference of opinion over whether foreign investment is good, bad or indifferent in its effects on the U.S. economy. "Depending on your viewpoint," comments Kalman J. Cohen, a New York University economics professor, who is a specialist on the subject, the surge in investment from abroad is either "an economic defeat resulting in an alarming takeover by foreigners of America's productive assets or a welcome stimulant to American employment and an aid to the balance-of-payments position of the U.S."

From the days when foreign capital helped build railroads across the Continent more than a century ago, the U.S. traditionally has welcomed foreign investment. For years the Commerce Department has sponsored "invest-in-the-U.S.A." seminars abroad, seeking to lure foreign plants here. At least 14 states maintain overseas industrial-development offices for the same purposes.

The Nixon administration maintains a friendly view toward foreign investment. Since last July, Mr. Flanigan, the White House aide, has had a special interagency task force gathering information on the growth of investment from abroad and its effects on the American economy. Mr. Flanigan, in reasserting the "open-door policy" in his congressional testimony, is likely to cite task-force data intended to show that foreign investment increases U.S. employment and incomes and aids the balance of payments.

More fundamentally, the administration argues that the U.S. can't close the door on foreigners and still expect American corpora-

tions to be welcomed around the world. "We have much more at stake abroad" in investments than foreigners do here, notes John Nelhuss, head of the interagency task force. U.S. direct investment abroad at the end of 1972 totaled \$94 billion, six times the foreign investment in America. The U.S. would jeopardize its investment and invite retaliatory moves if it restricted foreign capital, Mr. Nelhuss says.

While few members of Congress would slam the door on foreign investors, an increasing number are beginning to question whether the U.S. should close the door partway or at least keep closer track of who is coming through and why. The congressional hearings planned are largely investigatory—to examine the foreign-investment trend, its impact and U.S. policy toward it—but they also will consider bills to limit or monitor more closely the investments from abroad.

AN OUTLINE OF THE BILLS

A Pennsylvania Democrat, Rep. John Dent, has introduced the most restrictive bill, a measure to prohibit foreign ownership of more than 5% of any American corporation's voting stock. An aide says the bill is intended to stimulate discussion; even Mr. Dent isn't sure that severe a limit is necessary. "He had visions of a steel company's being taken over by foreign interests and had reservations about it," the aide explains.

Another bill, introduced by Democratic Rep. John Moss of California, is designed to prevent foreign takeover of U.S. companies in the energy and defense industries. It would bar foreign ownership of more than 10% of the stock of any oil company, coal concern, electric utility or other energy producer as well as of any firm that gets 20% or more of its revenues from defense business. Rep. Moss says he's concerned about national security.

Reports of Japanese purchases of farmland, grain elevators and other agricultural assets in the Midwest have prompted Iowa Democrat John Culver to introduce a congressional resolution and start hearings today by the House panel he heads. His resolution calls on the government to study the problem of increasing foreign investment and adopt a "responsible" policy toward it.

The surge of foreign investment "raises many troubling questions," Sen. Daniel Inouye, a Hawaii Democrat acknowledges, but it would be "premature" to restrict it, he thinks. Instead, he has introduced a bill calling for a massive two-year study of foreign investment in the U.S. to provide information needed to formulate "a coherent national policy."

THE JAPANESE AND HAWAII

Present information is so sketchy, Sen. Inouye says, that "we don't know whether the net effect of foreign direct investment in the U.S. has been beneficial or detrimental." What Sen. Inouye does know, however, is that foreign investment is causing trouble in his home state.

"In the short space of three or four years," he says, "Japanese investors have poured between \$200 million to \$300 million into Hawaii," he says. This investment has been concentrated in the state's most important industry, tourism. Japanese interest in Hawaii has also grossly inflated already-high real-estate prices to the point that very few Hawaiians can afford new housing," the Senator complains. Furthermore, he says, the investors from Japan have "aggravated" Hawaiians with poor public relations. An aide tells of a golf course purchased by Japanese who then closed it to Hawaiians.

Capitol Hill aides predict that, at a minimum, some new disclosure requirements will be imposed on foreign investors to give a more complete picture of the scope and sources of foreign investments.

In at least one area, the government is already beginning to scrutinize foreign invest-

tors more closely. Officials of the National Oceanic and Atmospheric Administration are concerned over Japanese takeovers of American commercial-fishing fleets—which gives them rights to fish inside U.S. territorial waters.

"I don't think we would want a great amount of foreign control" of American fishing companies for fear that the foreign-controlled firms would export their catch at the expense of U.S. consumers, an official of the agency says. With that danger in mind, the agency now requires a review of any foreign takeover bid.

POSTCARD VOTER REGISTRATION BILL

HON. BILL FRENZEL

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 1974

Mr. FRENZEL. Mr. Speaker, the county auditor and registrar of voters for the county of Lake of the Woods in Minnesota has recently written me outlining his objections to the proposed postcard voter registration bill. I invite all Members' attention to some of his thoughtful criticisms about the bill. The observations he expresses are similar to those of election officials testifying on the post card registration bill (H.R. 8053). Since his office not only handles voter registration but a host of other functions, the objections he raises about the problems of administering the bill are particularly enlightening. I hope that all Members will carefully review his criticisms.

His letter follows:

LAKE OF THE WOODS COUNTY,
OFFICE OF THE COUNTY AUDITOR,
Baudette, Minn., January 2, 1974.

Hon. BILL FRENZEL,
House Office Building,
Washington, D.C.

DEAR SIR: As it was outlined to me in your letter of December 18, 1973, I find myself, as a citizen and as County Auditor and Registrar of Voters for the County of Lake of the Woods, Minnesota, very much opposed to the proposed National Voter Registration Act H.R. # 8053 on the following grounds.

1. The Administration of the Act would require another Federal Government Bureaucracy that would cost the taxpayers millions of dollars. Few Federal Agencies have ever administered programs without untold amounts of regulations, red tape, paperwork, and expense. Ordinary citizens who have problems or complaints find getting satisfaction or answers so difficult that they give up.

2. A dual registration system—one for Federal elections and one for other elections—will cost the taxpayers money because of the obvious duplication of effort. Moreover, all people will not follow instructions nor fill out cards correctly and completely. Numbers can be programmed and worked with by computer or in any other way. The characteristics of people can be studied; but nobody can manage all the voters by computer, or any other way, no matter how idealistic the idea might sound. People are just people. The duplicate registration system, in fact, would create an unmanageable situation. Local control over voter registration is the only possible way to keep the situation under any control.

3. While I have only limited confidence in the U.S. Postal service, I am sure that the Service, along with all other cards available in public places, will get everybody a voter registration card—in fact, many people will

get several. The opportunities for fraud will become almost unlimited.

4. Does a Federal or State Office really know where people live and are entitled to vote? No way! I foresee the proposed Voter Registration Administration conducting a study to see where people live and vote (more millions of dollars) which would be out of date by the time it was published (because of the mobility of the American people.) and which, like most studies of this type, would be entirely unintelligible to the average person, anyway.

5. Once a Federal Bureaucracy is established, it is almost never disbanded, only increased; it seems to feed on itself, constantly increasing its distance from the people—and always increasingly promulgating rules, regulations, and paperwork.

6. It seems that where it costs the taxpayers one person's salary to do a job locally, the States each need two employees (or three or more) and the Federal Government even more to get the same job done. I suppose what I'm asking is that you let local governments alone and just help us to do our jobs better. I think the Federal Revenue Sharing Program and the Emergency Employment Act are two examples of programs that have contrasted greatly with the usual programs. They have helped us and will continue to help us. They don't burden us with paperwork; and the money involved actually gets to the people who need it and for whom it was designed. The proposed Voter Registration Act would do just the opposite. There's no way it would help those for whom it would be designed, nor correct the abuse it would be supposed to correct.

7. The chances for fraud would be so increased under this kind of system that Watergate would seem like a child laughing and playing during a Sunday School Class. Obviously, we have problems in some of our election processes; but it seems that the proposed medicine would only make the patient sicker. One doesn't heal an injury to a finger by cutting off an arm. A flat tire is not repaired by buying a new car.

8. Minnesota has just initiated a new Voters Registration System. We think it's going to work well and be a good one. Give us a chance to see how it works.

9. Whatever you do in this matter and others, remember the administration involved in all proposed legislation. If a program can't be administered simply and fairly, on a local level, then maybe it requires more thought.

Some ideas are great from the ideological or political point of view. There are only three of us in my office. We levy the taxes, pay the bills, handle licenses, and perform all sorts of other local government functions. We intend to absorb most of the work involved in the Minnesota Voter Registration System. I'm not sure we could absorb the proposed Federal System. It appears that the proposed legislation would be a nightmare for us and for the Nation.

I thank you for taking the time to read this and consider my views. If my views are wrong, I would welcome correct information from you.

Sincerely,

DEAN E. IRLBECK,
Lake of the Woods County Auditor.

CLARK OIL CO.

HON. LES ASPIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 1974

Mr. ASPIN. Mr. Speaker, the Clark Oil Co. of Milwaukee, Wis., is providing a 92-

percent allocation to their own stations in January while holding the allocation of a large independent company. Kickapoo Oil of Hillsboro, Wis., at 32 percent.

Kickapoo is now out of gasoline and may be forced to close all of its 75 stations in Wisconsin.

Mr. Speaker, the Clark Oil Co. is apparently trying to force independent dealers such as Kickapoo out of business.

I have asked Mr. William E. Simon, Administrator of the Federal Energy Office to conduct a special investigation of Clark's activities. Clark has violated the voluntary allocation ruling by not sharing the available fuel supply equally.

Since Clark is willing to attempt to squeeze out independents and violate the voluntary guideline, the Government must conduct an investigation to make sure that they comply with the new mandatory allocation system which went into effect on January 15.

I hope by the time the mandatory program begins there will still be some Kickapoo stations in business, but Clark's action has made it possible for some Kickapoo stations to be forced out of business.

Mr. Speaker, Clark's withholding gas from Kickapoo while supplying their own stations is particularly alarming in view of Clark's profits. Clark's profits during the first three quarters of 1973 rose 350 percent—totaling \$22.4 million. Clark's profit increase has been phenomenal. They should have been willing to help Kickapoo out.

Clark claims that Kickapoo had "no legal right" to receive additional gasoline.

It is not a question of legal right. It is a question of whether the oil companies are going to cooperate or are they only out for themselves.

The people of Wisconsin can no longer tolerate the efforts of the big oil companies to try to eliminate the competition provided by independent gasoline dealers like Kickapoo.

Clark's apparent effort to squeeze out an independent like Kickapoo offers new evidence that the power of big oil companies to eliminate competition must be curbed.

NEW CARTELS SPELL HIGH PRICES AND INFLATION FOR INDUSTRIAL NATIONS

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 1974

Mr. MOORHEAD of Pennsylvania. Mr. Speaker, the inflationary impact, caused when the oil producing nations unilaterally raised their prices, is now reaping—and will continue to cause—higher prices in innumerable products and services which rely on oil or oil derivatives.

When the world, or major countries of the world, must rely on a few suppliers for products necessary to economic growth, the die is cast for those producers to band together and raise their prices, thus forcing their customers to do without the necessary item or pay a very steep price.

C. Fred Bergsten, a senior fellow at the Brookings Institution, writing in the Sunday, January 28, issue of the New York Times, paints a very dismal picture of how this "resource diplomacy" might well be applied to more and more raw materials on which the world depends.

I would like to put Mr. Bergsten's article in the RECORD at this time for the information of my colleagues:

SOME VITAL COMMODITIES ARE SUBJECT TO "RESOURCE DIPLOMACY"—THE WORLD MAY HAVE TO LIVE WITH "SHORTAGES"

(By C. Fred Bergsten)

WASHINGTON.—As recently as a year ago, it was conventional wisdom that "the oil countries could never get together"; it was believed that they could not risk retaliation from a "united Western world." But, today, through the Organization of Petroleum Exporting Countries, the oil nations have quintupled their price. They have cut back production. They have raised fears of global depression. And they have left the consuming countries, particularly in Europe and Japan, in disarray, and alliances such as the Common Market and NATO, in peril. Indeed, Europe's every scramble for a "special deal" has strengthened the confidence of the oil cartel.

But oil is just the beginning, for three reasons. First, the lesson of this startling reversal of power seems obvious for other countries with key primary products: Band together and your revenues can rise dramatically. Second, higher oil prices force the other primary producers to increase their own export earnings to pay for their oil needs. Third, OPEC itself appears ready to support the formation of other cartels, as one way to avoid opprobrium for bankrupting the "developing countries."

To be successful, producer cartels must take advantage of demand that is relatively insensitive to price hikes. Substitute products cannot be readily available at better prices. The fewer the producers and the fewer the rivalries among them, the easier it is to collude. (The United States, China and Brazil produce most of the world's soybeans, and they could act in concert but they are unlikely to form a soybean cartel.) Large financial reserves and relative independence from the short-run fortunes of the commodity in question make it easier for producing countries to limit output, which may be necessary to boost prices effectively. A powerful leader can be of decisive importance.

These conditions are even more prevalent for a wide range of industrial raw materials and foodstuffs than for oil. Most oil countries depend heavily on that single commodity, and some do not possess large financial reserves. OPEC comprises such widely scattered countries as Venezuela, Nigeria, and Indonesia, but even the Arab members have had bitter disputes among themselves.

To be sure, none of these other products approaches the economic importance of oil. Nor would any of the combinations of countries involved be likely to cut production for political reasons, as did the Arabs. They may "simply" require that their materials be processed domestically rather than abroad, to retain more of the profit for themselves.

"COPPER IS NEXT"

But several other commodity cartels have already formed, including one of copper producers, and CIPEC (standing for Conseil Intergouvernemental des Pays Exportateurs de Cuivre and comprised of the dominant non-North American producers, Chile, Peru, Zaire and Zambia) may soon join OPEC as a household word. Copper is an essential ingredient in electrical and structural products (tubing, fittings, fixtures, and so on) with a vital impact on Western economies. The price of copper for nearby delivery reached a historic

high in December of nearly \$1 a pound, up from around 53 cents in July. The Shah of Iran has predicted that "copper is next."

The bauxite producers have already met once, and have publicly announced a more formal session next month to "consider creating an OPEC for aluminum." Five countries (Australia, Guinea, Guyana, Jamaica, Surinam) account for almost all of the world's exports. Australia, which has spoken publicly of its new "resources diplomacy" and is actively seeking commodity expertise, is a natural leader for the bauxite group because of its widely diversified economy and extremely high monetary reserves.

The coffee cartel is already so far along that its producers were content to let expire the international coffee agreement, which they sought a decade ago to marshal help from consuming countries to keep prices from falling. Here, too, there is a key leader: Brazil, the world's largest supplier, whose own dependence on coffee has declined dramatically and whose monetary reserves are eighth largest in the world.

More possibilities abound. Four countries account for virtually all the world's tin exports and two of them (Malaysia and Thailand) have high monetary reserves. Four countries (again including Malaysia and Thailand) dominate the natural rubber market, whose importance has risen dramatically with the competitive decline of petroleum-based synthetic rubber. A few countries dominate each of the regional markets for timber, where shortages are apparent everywhere. Similar situations may exist for tea, cocoa, and pepper.

There is even the possibility that unofficial multimetal cartels could be formed where allied interests prevail. For example, consuming countries potentially could substitute aluminum for copper or tin and to prevent that producers of the three metals might agree to work along parallel lines.

THEY HAVE THE MONEY

The monetary reserves of the Third World have risen by \$33-billion in the last three years, so many of its members could finance such efforts.

The main economic effects of more commodity cartels will be increased inflation in the industrialized countries, and a further shift of monetary reserves to the primary producers. The main political effect will be more power for the countries, many in southern and warmer climates, that "have" key resources, relative to those industrial countries, mainly in the northern hemisphere, that are "have-nots" in terms of resources.

These problems will be more acute for Japan and most European countries than for the United States, but we are, or soon will be, heavily dependent on imports of every commodity mentioned above and many more as well. And, the United States can never be truly independent of such problems as long as Europe and others are dependent in the integrated world economy of the 1970s.

A QUESTION OF MORALITY

Those who support the producing countries in this central new issue of world economics and politics, cite four principles.

First, they say, it is no more immoral for a few countries to produce the lion's share of a particular product than for a few countries to consume the lion's share, as the industrialized world has become used to doing.

Second, the legitimate needs and aspirations of producer countries must be met in constructive ways which are acceptable to them. Most of these goals are economic, and in part, the "rich" are now paying for their past neglect of the "poor."

Third, only unity among consumers can effectively counter unity among producers. Monopolistic sellers, whether corporate or national, thrive in the face of competing buyers.

Fourth, new international rules and institutions must be developed to cope with equitable sharing and pricing of goods in short supply, and attendant policy problems such as the export controls applied by many countries over the past year. The present framework for governing trade and financial relations among nations was directed wholly to problems of inadequate demand and barriers to imports, whereas the critical problem for the foreseeable future is inadequate supply and barriers to exports.

INFORMAL PICKETS

HON. BURT L. TALCOTT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 1974

Mr. TALCOTT. Mr. Speaker, patrons of Washington shopping centers are being harassed and harrassed by motley and uninformed crews of "informational pickets" urging shoppers not to purchase lettuce, grapes, or wine.

I often ask the picketers if they have ever "cut lettuce" or "picked grapes." None have. They are mostly students or unemployed. None have known the true facts of the social and racial involvement of "La Causa" or "La Raza" promoted by Cesar Chavez.

Farmworkers in most States need help in improving the wages, hours, working, and living conditions. They need secret ballots to determine their collective bargaining units. They need a union. They need national farm labor legislation. Cesar Chavez is furnishing none of these things.

The place to learn about the condition of farmworkers is in the fields and their homes. Few people in or near Washington have any true knowledge about the farmworker. They should know more before they carry an "informational picket."

I insert a copy of a letter from a constituent who knows the problems and conditions of the farmworkers from long intimate association. The letter of Mr. Louis W. Uribe of Salinas, Calif., follows:

DEAR MR. CONGRESSMAN: How much longer are you people of this beautiful state and wonderful Union going to let what I think is a little czar by the name of Cesar Chavez and his uninformed (notice I didn't say stupid because they're not), followers intimidate, harass, beat and lie to you the public.

Since when did a union have the right to block or obstruct entrances to supermarkets, liquor stores or small independent markets.

Since when is it permissible by the law to have you the public heckled at your place of doing business.

Nobody has the right to tell you what to buy or what not to buy, especially a "herd of sheep" yelling and waving red banners.

"El jefe" says he represents all the farmworkers.

Where is his proof?

Whatever happened to Freshpick? I believe his union broke the company.

What happened to all those people that worked for Freshpick (welfare)?

Why does he only have one lettuce agreement left?

Why did he lose all but a few grape contracts that he carried around in his pocket?

If you don't know why, go ask those farm-

workers that were once under the thumb of "El jefe."

"El jefe" means "The Boss."

I know his answer already, the reason "El jefe" lost them was because the ranchers and the Teamsters made a "Sweetheart Agreement."

Not so, before the Teamsters even called on any employer to sit down and negotiate, the farmworkers of those U.F.W. held contracts petitioned and demanded that their employer stop all further dealings with "El jefe" and sit down to negotiate a new agreement with the Western Conference Agricultural Workers Organizing Committee.

If they are "Sweetheart Agreements," then why under any Teamster field labor agreement is the cost to employers so much more as compared to "El jefe's" contracts.

Why do the Teamster farmworkers receive unemployment benefits when laid off if qualified and not "El jefe's" members?

Why, because "El jefe" once said that it was not the responsibility of the union to negotiate unemployment insurance on their contracts, but that it is the responsibility of the state to take care of the unemployed (welfare lines swell).

What did "El jefe" learn in the years he spent under the wing of Saul Alinsky, a devout revolutionary teacher here in the United States of America?

Just remember if you continue to support what I think is a little menace with his only weapon, the boycott, we are, putting many husbands and families out of work.

There are enough people being laid off their jobs because of the energy crisis, let us not contribute by not buying our wine and lettuce.

Remember keep the Cesar out of our salad and buy Gallo Wine.

Sincerely,

LOUIS W. URIBE.

EDWARD HAUSNER HONORED AS POLONIAN OF YEAR

HON. MATTHEW J. RINALDO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 1974

Mr. RINALDO. Mr. Speaker, Edward Hausner of Linden, N.J., who operates a business in the 12th Congressional District, was recently honored by the New Jersey State Conference of American Polonians as the Polonian of the Year.

Mr. Hausner, who is a respected community leader in Union County, was the subject of a feature article in the Post-Eagle, America's leading independent American-Polish weekly newspaper. I would like to enter this article into the RECORD:

EDWARD HAUSNER HONORED AS POLONIAN OF YEAR

The New Jersey State Conference of American Polonians (NJSCAP), completing a most successful year of operation in this state, became a reality in 1972, when a central headquarters was opened in Bloomfield center to service Polonians in many capacities. The NJSCAP has become the official voice of Polonians here, and has led in the fight for recognition of our American Polonians.

As the moving force in this state, the NJSCAP has flexed its muscles on all levels and has challenged detractors of our image making them apologize publicly. Big stars such as Bob Hope and Jerry Lewis felt the sting of the NJSCAP, as delegates visited

them personally and in no uncertain terms told them to stop the derogatory Polish jokes. The NJSCAP also took on the State Department and forced an investigation of discrimination against Polish . . . people by the Consular Offices in Poland, a fight other Polish-Americans have now taken up, including Congressman Dingell of Michigan.

This dedicated band of Polish delegates also played an important role in the political arena including the gubernatorial elections in November. A fund was started for Mrs. Zygmuntak, mother of Lester Zygmuntak who killed his brother and was acquitted by the courts recently.

A number of job placements were made with the proper influence being used for our Polish-Americans. This and other services to Polonia were the result of the NJSCAP, and that is the reason this group is considered the official and leading Polish force in the state.

In order to maintain these services the Conference has assessed the delegates who are being accepted into the ranks. Other plans are being formulated to raise additional monies to expand the conference, offices and help.

The executive board recommended that deserving Polish-Americans should be recognized and honored yearly, giving the recipient the honors due him or her as well as raising the necessary funds needed to keep up the fight for recognition of Polonia here in New Jersey.

With this in mind, it was the unanimous decision of the NJSCAP to honor as the first Polishman of the Year a true Polishman who has given of himself and his efforts constantly for every cause brought to his attention. This man is also one of the founders of the NJSCAP and holds the office of Treasurer. The man chosen to be honored for 1974 is Edward Hausner of Linden who is also proprietor of the Skyline Lounge in Elizabeth, New Jersey.

Ed Hausner was the only one of his family to be born in these United States. His family came from Jaslika. Powiat Sanok, Poland. Ed is the son of the former Franciszek Hausner and Apolonia (Cichon) Hausner. His father was an organist in the parish church in Jaslika. The family lived in Newark, Down Neck, where Ed was born in 1915. He attended St. Kazimierz's Polish Parochial School. The family moved to Linden where they settled down. Ed graduated Linden High School and then continued his education at Casey Jones School for Aeronautics and Eastern Aeronautical Academy where he earned his Engineering Degree.

Ed worked for Republic Aviation. Seversky Aviation and Breeze Aviation.

In 1932, Ed received his pilots license. He is rated as a four engine pilot. In 1941, two years after Poland was attacked by the Nazis, Ed joined the Polish Air Force in Canada going overseas in England where he served with the Polish Squadrons. A flying Sergeant, Ed flew fifty missions with the Polish Squadrons, transferring to the American Air Force when America entered the war. A fighter pilot for the Polish Jednostki, Ed went on to Randolph Field where he began instructing American pilots. He then transferred to Fort Worth and became a bomber pilot on the B-24's, flying raids over Italy, Germany, and Austria.

As a flight officer, Captain, in the 8th Air Force he flew 25 missions in B 24's as well as P47's in the 15th and 12th Air Force.

Ed was a prisoner of war in Germany in 1944, escaping three times.

In 1946 Ed mustered out of the Air Force as a Captain. As a reservist, Ed was called back to service as a pilot in the Korean War, here he flew in the 18th Fighter Squadron. In 1953 Ed became a civilian again.

Ed is married to the former Lillian Kozar of Linden. He resides on Kent Place in town

with his wife and children: Elizabeth 17, Dennis, 22 a student at Pratt Institute in Brooklyn and Konrad age 20 where he is assisting his dad in running the beautiful Skyline Lounge on Dowd Ave. in Elizabeth, New Jersey.

Ed Hausner is well known in Union and Essex Counties, having owned a number of business establishments, one of them being the Pennbrook Inn in Elizabeth. Eight years ago, Ed built the Skyline Lounge in Elizabeth where he can be seen daily welcoming the luncheon crowds and guests.

Ed is a member of the PLAV, Post (9) Elizabeth; GEDA, Elizabeth; The Elks and charter member of the NJSCAP. He is active in just about all of Polish affairs throughout the State and recently was appointed as Program Chairman of the coming Polish Festival to be held at the Garden State Arts Center in Holmdel.

Ed's generosity is legend. Polish-American candidates, no matter where in the State, can depend on Ed's contributions. Other politicians have been beneficiaries of Ed's generosity.

Ed holds the Silver Star D.F.C.; Eight Air Medals; Two Purple Hearts; From the Polish Government, the Krzyz Waleczny (K.W.) and the British Service Medal.

Although Ed put his life on the line for the land of his parents, he never visited Poland until recently when he spent a weekend in Warsaw and Jaslika while on his way to Switzerland. He speaks Polish fluently as well as Italian.

Our honoree has a brother, Paul in Detroit; Tom in Camden; sisters Frances Chmielewska, in Flushing, Maria Papuzynska and Katherine Tandul, in Linden, N.J.

The Hausner name is well known to Polonia in Union County and the Country for Ed's deceased brother Stanislaw, who was one of the pioneers in aviation. His plans to fly the Atlantic ocean to Poland years before Lindbergh, were cut short when he died a tragic death while flying his plane over Detroit in 1935.

The 34th Anniversary of this tragic death of a brilliant Polishman, Stanislaw Hausner will be celebrated in May of this year. If Polonia had supported Stanislaw Hausner thirty five years ago, perhaps he would have realized this dream of a flight over the ocean and his name would have gone down in history instead of Lucky Lindbergh.

For his generosity, goodness, and willingness to help all Polish-Americans, the NJSCAP have deemed it a great pleasure to nominate Ed Hausner as the 1974 Polishman of the Year.

PENNSYLVANIA NEEDS MORE GASOLINE

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 1974

Mr. EILBERG. Mr. Speaker, Gov. Milton J. Shapp, of Pennsylvania, has written to William E. Simon, Director of the Federal Energy Office, urging him to increase the proposed hardship gasoline allocations to the States from 3 to 10 percent if rationing is put into effect.

The letter states that in Pennsylvania the elderly, who are dependent on the mobility of volunteers for various services, will be jeopardized by an inadequate gasoline allotment. Also in danger are the rural physicians, salesmen, job commuters and other persons whose livelihood greatly depend upon sufficient amounts of gasoline.

At this time I enter into the RECORD the letter written by Governor Shapp to Mr. Simon explaining Pennsylvania's need for more gasoline.

OFFICE OF THE GOVERNOR,
Harrisburg, Pa., January 9, 1974.

Mr. WILLIAM E. SIMON,
Director, Federal Energy Office, The White House, Washington, D.C.

DEAR MR. SIMON: I note that the only official statement yet available on gasoline rationing provides that:

Each state will hold coupons representing up to 3% of the quantity of gasoline available in the state for each month. These coupons will be used by the state to provide relief in cases of exceptional hardship.

Our experience in December 1973 suggests that the 10% state reserve for exceptional hardships with middle distillate fuels (fuel oil #2, diesel and kerosene) proved hardly adequate. Several major suppliers, in fact, informed us that a 10% set aside of fuel had been exhausted before the end of the month, forcing us to seek other suppliers.

Many groups of Pennsylvanians have expressed concern to us over motor gasoline rationing. For example, groups interested in the aged have noted the need for sufficient gasoline for volunteers helping to operate Federally-funded programs for senior citizens. Alternatives to some of these programs, such as "meals on wheels," could mean costly and unnecessary institutionalization of many senior citizens.

One letter from the Catholic Social Services, Archdiocese of Philadelphia, written by the Chairman of the Southeastern Pennsylvania Regional Council on Aging, states that:

"The great majority of our elderly population are dependent upon programs such as those held in Golden Age Clubs and multi-service centers for senior citizens wherein we provide social, recreational, educational and other services, the goal of which is to maximize their self-care and independent living within the mainstream of life."

We are also concerned about rural physicians who must often travel vast distances to serve patients—some of them in conditions of rural poverty. We are worried about salesmen who need their cars in order to contact customers, and about the owners of the so-called small "mom and pop" retail stores who depend upon many independent truck drivers to deliver their wares. We are concerned, too, about the gasoline needs of many other citizens of Pennsylvania who have settled some distance from their places of work and for whom the establishment of car pools is unrealistic.

Our best judgment then is that should gasoline rationing be instituted a 3% allocation of gasoline to this state for "exceptional hardship," will prove grossly inadequate. We would propose, instead, a minimum 10% allocation for "exceptional hardship" for Pennsylvanians.

More important, though, I urge that before any gasoline rationing system is established, complete justification for such a program be made to the public. The recently published figures in the Philadelphia Inquirer and the Wall Street Journal indicating that national supplies of oil are greater today than a year ago has created great suspicion as to the need for rationing at this time.

I am sure you will agree that for any program of rationing of any product to be successful the public must be in complete understanding of the need and have confidence that the program itself is fair. If these conditions do not exist, there will be flagrant abuse of the system and a black market is certain to flourish.

We realize, of course, that no draft regulations for gasoline rationing have yet been published in the Federal Register. But if and when such draft regulations may be pub-

lished, we urge adequate time to provide for full comment by state and local officials and the public at large.

Sincerely,

MILTON J. SHAPP,
Governor.

TERMINATION INSURANCE: THE BEGINNING OF THE END OF PRIVATE PENSIONS?

HON. JOHN N. ERLBORN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 1974

Mr. ERLBORN. Mr. Speaker, many view pension plan termination insurance as the cornerstone of protection for the private pensions of American workers. Many others of us view one aspect of termination insurance as a tombstone marking the demise of the hopes of millions of workers expecting a private pension with a definite benefit when they retire.

Recent editorials in the Chicago Sun-Times and Chicago Daily News tell the story, and I commend them to our colleague's attention:

[From the Chicago Sun-Times, Jan. 15, 1974]

WRONG ROUTE TO PENSION REFORM

Authors of pension reform legislation pending in Congress have been properly concerned with protecting workers from pension fund failures. But the way in which the bills would provide such protection is widely off-target. A business firm, for example, could be liable for huge payouts even if a fund's failure were to be caused by circumstances outside the company's control and not at all its fault.

Under each of the bills being considered, the proposed mandatory, government-administered insurance program would make companies liable for deficiencies in pension funds. The liability under a bill already passed by the Senate (HR 4200) could amount to up to 30 per cent of a firm's net worth. Under HR 2, which has been reported out by the House Education and Labor Committee, the liability could be an astounding 50 per cent of net worth. In addition, under HR 4200, net worth is figured as the total value of all stock, an amount that could be substantially higher than net worth as determined by standard accounting procedures.

Pension fund deficiencies certainly are not always the result of poor company practices or policies. A deficiency could occur because of a decline in the value of a fund's investment portfolio. It could occur because of bad loans or fraud. Yet under the liability provision of the two pension-reform bills, the government would have what amounts to a permanent federal lien on up to 50 per cent of a firm's assets. Because this would have to be shown on the balance sheets, a firm's ability to borrow for operations and expansion would be affected, and so would its ability to attract investment funds. The ultimate result could be detrimental to workers still on the job, and could even mean layoffs.

Congressional testimony has disclosed that workers haven't always been protected from the loss of benefits, and they deserve to be protected, by law. Yet, individual abuses—some of which have occurred in labor union pension funds—should not be attacked in a way that places a potentially crippling burden upon every business involved with a pension plan. The intention of the legislation is good, but the implications of it are bad. It is imperative that there be ex-

tensive debate on the fund-insurance proposals. There ought to be a study also of whether some form of private pension-fund insurance might not be adequate to the task.

[From the Chicago Daily News, Jan. 16, 1974]

PROTECTING PENSION PLANS

Private pension plans, which cover some 35 million civilian workers in the United States, are headed for significant reform and new federal regulation. A Senate bill passed 93 to 0 last September. It and a House bill are under study by the House Ways and Means Committee. Passage of a compromise is expected before midyear.

The task before Congress is twofold.

One is to protect employees against loss of retirement income because of pension plan terminations, job dismissals or job transfers. While most funds are run honestly and in good faith, a number of scandals in recent years involving firms and labor unions have revealed cases of workers losing their pensions through firings just before retirement age, through business failure, or on technicalities such as moving from one union local to another. One step toward ending such abuse is to require that pension rights be vested—that is, after a certain time a worker retains his earned pension credits and is guaranteed he will receive them at retirement age, even if he leaves his job beforehand.

A second task of Congress is to leave the private pension system free of federal regulation so cumbersome as to discourage establishing new plans and improving old ones.

That could happen, however, without some modification in the present plans for plan-termination insurance. Each of the bills being considered contemplates making the affected corporations liable to a federal insurance corporation for deficiencies if a pension plan is terminated without assets sufficient to pay a stipulated scale of benefits to participants or beneficiaries. Each company would be liable for making up the difference out of company assets up to 50 per cent of net worth under the House Education and Labor Committee's bill and up to 30 per cent under the Senate's.

This creates problems, however, even for the vast majority of companies that run honest, well-funded pension plans. Such a law would suddenly create huge contingent liabilities for businesses, which could seriously affect a firm's ability to borrow money and to sell new securities.

Many pension fund experts, who support most of the reforms being studied in Congress, question whether such insurance—and the new federal bureaucracy it would surely bring—is needed at all. They point out that the tighter requirements for vesting and for funding during the life of the plan make such deficits highly unlikely.

If it is decided by Congress that some form of insurance is needed to protect against the few cases of abuse, it would be better to require that coverage be purchased through the private insurance sector. And no reform bill should be passed that does not specifically guard against the abuses that have occurred in several union-run pension plans.

Private pension plan benefits of some \$10 billion were paid last year to some 6 million men and women. That was up from \$1.8 billion paid to 1.8 million recipients in 1960. Still, there are some 30 million civilian workers not covered by plans. For those that are covered, pension improvements have been a key fringe benefit, often negotiated to fit particular needs.

No doubt there is need for tighter standards over the private pension field. Abuses have been too tragic and too many to risk recurrence. But on the whole the private pension system has performed well and is constantly improving.

Before the Ways and Means Committee finishes its version of pension reform, the

bills should be subject to more public debate. It would run counter to the interests of millions of workers to overregulate and encumber the system so as to discourage further growth and improvements.

My concerns about the employer liability feature of termination insurance led me to call a press conference January 25.

The statement I delivered then follows:

TERMINATION INSURANCE—THE BEGINNING OF THE END OF PRIVATE PENSIONS

What has been hailed by many as the cornerstone of reform may instead be the tombstone marking the demise of the hopes of millions of workers expecting a private pension with a definite benefit when they retire. This is the inescapable conclusion you must reach if you examine the impact of one of the provisions of the pending private pension reform bills.

The provision to which I refer is an unnecessary and counterproductive feature of the plan termination insurance requirements. This feature would make the employer liable if there were not enough money in the pension trust when the plan terminated. To write this into law would alter, by legislative fiat, a contract between employer and employee; and this may be unconstitutional.

More important than the legalisms, however, are the practicalities. Termination insurance with this feature would discourage creation of new definite benefit pension plans and improvement of existing plans.

When starting a pension plan, a company usually gives its workers credit for past service. This creates a large unfunded liability. Each increase in benefits has a similar effect. In time, the employer's contributions to the pension fund will catch up to these liabilities but, until that catch-up time comes, the employee does not have a full guarantee. It is better to have a partial guarantee, however, than to have no pension plan at all.

This danger was spelled out in a letter from the American Bankers Association to Representative John Dent (D-Pa.), Chairman of the House General Labor Subcommittee:

"It is only logical that in such circumstances employers will be more hesitant in deciding to establish a plan or improve benefits of an existing plan because of the irrevocable nature of the decision. Some employers with existing plans may even find it necessary to consider their termination before the new law's effective date."

Termination insurance with this recourse might put an employer in more of a bind than he can withstand. This hazard was also outlined by the American Bankers Association in its letter to Representative Dent:

"In addition to the irrevocability of the decision, the employer liability provisions may affect continuation and establishment of plans because of their effect on the employer's ability to obtain or maintain credit."

"Since most pension plans limit the employer's legal obligation for the payment of benefits to the amount of the pension fund, disclosure regarding the amount of this excess is generally made in the footnotes and usually is not a significant factor affecting credit decisions. However, Opinion No. 8 (of the Accounting Principles Board) requires that: 'If the company has a legal obligation for pension costs in excess of amounts paid or accrued, the excess should be shown in the balance sheet as both a liability and a deferred charge.'"

"In such case, the debt of the employer would be increased by the amount of its pension obligation or some part thereof, which might possibly cause some employers to violate existing indentures. Obviously, the ability to take on additional debt might be severely limited."

The problem of the employers can be understood when you consider that in a recess-

sion or depression the value of the assets of the pension fund will be reduced. This, in turn, increases the unfunded portion of benefits and, therefore, increases the employer's liability. In effect, the employer, under these proposals, would be forced by law to become an insurer of the value of the pension trust assets.

The effect also is to increase the employer's liabilities when economic conditions are bad. In many cases, this would prohibit the employer from obtaining credit when he needs it most. Thus, poor economic conditions would be aggravated by this provision and, thus, this provision would cause more business failures and more unemployment.

There is already evidence that prudent managers of businesses are shying away from employee benefit programs. They are fearful of starting a definite benefit pension program because of the likelihood that termination insurance may be enacted with this liability feature. Some will drop their plans for starting a pension program. Others will look for a plan which does not create this liability.

Profit-sharing plans are free of this constraint. So are savings-incentive and money purchase plans. These may be the choice of company managers if this law is enacted. None of these forms of benefit plans gives the retirement security of a definite benefit pension plan.

The termination insurance concepts now being considered could lead to a quick sale of the assets of a pension plan in the event of termination. All too often, this forced sale would come at the very worst time.

Who wants the kind of insurance that might discourage creation of new pension plans? Who wants insurance that would force the termination of existing plans? Or reduce the borrowing power of employers? Or lessen the ability of employers to expand and to create new jobs. Who wants the kind of insurance that would even force some owners out of business?

And is it really necessary to sell assets in haste? Many of them will not be needed to pay pensions for a long time.

That kind of insurance would mean that the employee would suffer.

Alternative forms of plan termination insurance have been developed. They have been studied by the Pension Task Force of the Dent Subcommittee; and they do not require this undesirable employer recourse provision.

One such alternative might be a non-profit insurance corporation. It could be established under the supervision of the Secretary of Labor. Financial institutions then could be invited to participate, on a competitive basis, to obtain productive management of the assets of terminated plans, while avoiding uneconomic and untimely liquidation of assets.

Such alternatives may not be perfect, but they would not wreck pension plans, weaken companies, force some out of business and put people out of work.

THE NEED FOR THE IDA

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 1974

Mr. HAMILTON. Mr. Speaker, I would like to call attention to the following editorials and comments which raise a number of important questions as to the advisability of the recent House vote against U.S. funding of the International Development Association.

As these articles point out, failure to support the IDA loan program could have grave consequences for the underdeveloped nations and an adverse impact on the United States and the rest of the world:

[From the Washington Post, Jan. 28, 1974]

NO AID, NO TRADE

The House of Representatives threw much more into jeopardy than its members may have realized when it refused to authorize funds for an enlarged development loan pool to be operated by the World Bank for the poorest nations of the world. Several reasons for defeat of the Administration's proposal are obvious; there are many more reasons why this unthinking action should be quickly reversed, if it is not too late.

The mass defections among Republicans—only 47 supported the measure despite strong urging from the White House—gives one more sign of weakened Presidential influence, even in his own party. Neither among voters nor, more inexcusably, among their elected representatives does the notion of foreign aid seem able to overcome its earliest years of being considered an American "giveaway." However, often it is argued, the Congress seems reluctant to recognize that development assistance brings mutual benefits to industrialized and less developed nations alike.

The program just defeated, a \$1.5-billion contribution to the World Bank's International Development Association, represented a positive and sophisticated approach to foreign aid. First of all, it is multilateral in its funding, avoiding the dangers inherent in attaching political strings. Through its multilateral structure, the I.D.A. is equipped to draw on the new resources of oil-rich countries, as well as the conventional donors, for redistribution among countries still in need of investment funds.

Secondly, the World Bank sponsors development projects of direct benefit to the poorer segments of the population in the less developed countries, as opposed to the earlier practice of strengthening national economic institutions from the top and hoping that the benefits would "trickle down" to the poor—hopes that were often shown to be futile.

Finally, the I.D.A. loan pool, negotiated last September at the World Bank meeting in Nairobi, represents a genuine trend toward burden-sharing among the richer states—another retort to the traditional critics of American giveaways. The United States share would have been dropped from 40 per cent to one-third; Japan, in contrast, had agreed to triple its contribution; West Germany's share would have more than doubled.

The essence of worthwhile foreign aid in the coming decade is to create productive economic ties among richer and poorer nations, to realize the benefits from cooperation as opposed to short-term advantages that might be gained from embargoes, unilateral price hikes and expanding cartels. The threats of economic warfare that have arisen over the Middle Eastern oil powerplays should stand as ample lesson of what is endangered when a country or group of countries goes its own way into economic confrontation rather than cooperation.

[From the Louisville Courier-Journal and Times, Jan. 27, 1974]

A SHAMEFUL VOTE ON IDA FUND

Foreign aid spending has been under attack in Congress for the past few years, some of the time for good reason. But last week's vote by a substantial majority of the House to reject the U.S. commitment of \$1.5 billion to the International Development Association (IDA) was indefensible and deplorable.

It was largely through a congressional initiative that IDA was founded 14 years ago. By the late 1950s it was becoming obvious that the poorest countries couldn't raise the money they needed for vital development at ordinary interest rates. The association was set up to provide those nations loans at minimal interest, with strict standards for both the eligibility of the countries and the soundness of the proposed projects.

The major source of funds for IDA has been a series of replenishments from the richer industrialized nations every few years. Last year, 25 donor nations, including the United States, agreed on a fourth replenishment of \$4.5 billion—almost double the previous replenishment of \$2.4 billion in 1971.

The U.S. commitment to the fourth replenishment was, as some congressmen complained, a sizable increase from America's 1971 assessment of \$960 million—half of which has still not been appropriated. But the increased figure does represent a marked decrease in the U.S. share of the total. After vigorous negotiation by the administration, our portion was reduced from the previous 40 per cent to one-third, while the proportion raised from other donors, particularly West Germany and Japan, has been increased.

Even at the best of times, withdrawal of U.S. support would be devastating. In a period of world economic turbulence it is catastrophic. Certain we have been hit by the energy crisis, but not nearly so hard as other countries, both rich and poor. The dollar is rising to new strengths, while West Germany and Japan—now faced with doubled and tripled IDA assessments—are floundering.

And the very poorest countries in Africa and Asia, which stand to lose most anyway as prices of badly needed imports soar out of reach, will see prospects of any real progress this century virtually disappear if IDA aid is cut off. In recent years half of IDA's loans have gone for development of agriculture and education—the basic priorities—yet even with this help mass famine was only narrowly averted in the poorest regions of Africa last year.

The hand that Congress helped to hold out in 1960 should not be pulled back now for narrowly selfish reasons. The Senate should act quickly to approve the \$1.5 billion and the House should reconsider its vote. World faith in American ideals and our own pride in American humanitarianism and responsibility demand no less.

[From the Wall Street Journal, Jan. 1, 1974]

SADDENING "VICTORY"

These columns have scarcely been special friends of foreign aid, yet when the House defeated World Bank funds Wednesday our reaction was one of sadness.

We're not at all sure underdeveloped countries will be hurt if they fail to receive the aid. By its very nature foreign aid tends to be given to governments, which means that in recipient nations it entrenches government bureaucracies. Bureaucracies obviously mean centralized and therefore often mistaken management, and tend to hamper the entrepreneurial spirit that does promote economic development.

Perhaps the House vote is a victory for this point of view, but only in the narrowest sense. The House shows no signs—least of all in its domestic economic policies—of recognizing the lesson of foreign aid. Rather, its vote reflects a general disillusionment with the U.S. world role, a disinterest in handouts to people who cannot vote in U.S. congressional elections, and a disintegration of leadership both on Capitol Hill and in the White House.

Those who have supported foreign aid over the years have at least done so from a viewpoint that was, however mistaken in some of its particulars, a broad and long-range one. For our part, we would be more than willing to play along with all the frivolities of for-

eign aid if that is the price of maintaining American world leadership. So we are far from elated by a House vote that represents not the correction of mistaken particulars of a broad view, but a retreat into short-run and parochial concerns.

[From the Washington Post, Jan. 28, 1974]

THE POOR OF THE EARTH
(By James Reston)

WASHINGTON, January 24.—One of the bitter tragedies of the present world crisis is that the heaviest blows are falling, as usual, on the poor of the earth.

For the rich, inflation, the energy shortage and rising food prices and unemployment are an irritation and at worst an inconvenience, but for the poor they are a disaster.

The point is obvious, but it seems to have been missed by the House of Representatives in its recent vote to kill President Nixon's bill to aid the world's poorest countries through the World Bank's International Development Association.

This vote tells a lot about the present mood of the Congress and the state of Presidential and Democratic leadership. Though the danger of mass starvation in sub-Saharan Africa and in India and Bangladesh is now alarming, the House voted 248-155 against the relief sought by the Administration, with 108 Democrats voting for it and 118 against it, and 130 Republicans voting against the President and only 47 Republicans supporting him.

Now we are beginning to see the consequences of Vietnam, Watergate, and the turmoil of the Middle East. The House is surly and frustrated, disillusioned with foreign aid and foreign adventures, and hostile to a President who impounds funds for the poor at home while seeking more aid for countries overseas.

President Nixon anticipated this mood but he underestimated it. By diligent private negotiating over the last year, and with the help of Robert McNamara, the head of the World Bank, he managed to persuade the other industrial nations of the world to increase their "soft loans" to the poorest countries from 40 per cent to 66½ per cent, allowing the United States to reduce its contribution to one-third from 40 per cent.

Even at 40 per cent of the total funds contributed by the rich nations through I.D.A. to the poor nations, the United States was putting up less of its gross national product than fourteen of the sixteen most prosperous countries.

Nevertheless, though inflation has reduced the value of I.D.A.'s soft loans by almost 30 per cent in the last few years, and though starvation is an immediate problem in most of the countries concerned, the vote for relief in the House wasn't even close.

If this were an isolated case of nationalism, it might be passed over as a regrettable and correctable offense; but the tide of nationalism is running strong in the world again, and there is little doubt that the vote in the House will probably be popular with the voters in this country.

Wherever you look in the advanced countries today, you will find leaders arguing for a new world order and pointing to the monetary crisis and the energy crisis as evidence that this is an increasingly interdependent world, requiring mutual aid and cooperation.

But the same time, many of these same nations turn protectionist whenever they get in trouble. Europe is trying to form a more cooperative union, but when the Netherlands irritates the Arab oil-producers, the Dutch are left to fend for themselves.

Likewise, though Europe is engaged in the most delicate monetary negotiations in order to bring stability to its currencies, the French float and devalue the franc on their own. Now it is the House of Representatives that recog-

nizes the danger of world hunger but votes against relief.

The leadership on both sides of the aisle was appalling during the debate. A White House preoccupied with its personal and legal problems gave its bill very little support—in fact, the President's name was seldom mentioned by his own House leaders—and the Democrats were just as bad.

Representative George Mahon of Texas, who is normally a sensible man except in election years, warned the House that he wouldn't be for appropriating the money requested by the President even if the House authorized it, and Representative Wayne Hays, Ohio's gift to diplomacy, was worse.

He argued that money voted for the poor countries would merely be used to pay for higher gas and oil prices, and thus would probably wind up in the pockets of the oil sheiks. This was like saying that if you're gouged by the rich, you are justified in turning round and kicking the poor.

The situation is particularly awkward now, not only because the World Bank will run out of "soft-loan" funds at the end of June but because no nation is obliged to meet its commitments to I.D.A. if other nations refuse to meet their quotas.

State Secretary Kissinger and Treasury Secretary Shultz reacted strongly against the House vote, but the following day, Mr. Kissinger was condemned on Capitol Hill for doing so.

Accordingly, they are now turning to the Senate for a more careful reappraisal of the problem. Their aim is to get the decision reversed or at least modified before Feb. 11, when the world oil producers and consumers meet here to discuss cooperative action on the cost and distribution of fuel.

"How can we expect cooperation on oil if we will not cooperate to relieve hunger?" Mr. Kissinger asks. But Congress has its mind on other things and so has the President.

VIETNAM: A STRANGE KIND
OF PEACE

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 1974

Mr. CRANE. Mr. Speaker, on January 4, Vietnamese President Nguyen Van Thieu called upon his troops to resist the continuing encroachments of the Viet Cong and declared that, in fact, the Vietnam war had begun once again.

At that time, President Thieu declared that:

We should not allow the Communists a situation in which their security is guaranteed now in their zone so that they can launch harassing attacks against us. We should carry on these activities not only on our zone but also in the areas where their army is now stationed. As far as the armed forces are concerned, I can tell you the war has restarted.

The cease-fire agreement which has been hailed by so many in our own country and elsewhere in the world has been made meaningless by the Communists' continuing intent to use the peace agreements as a smokescreen under which they can continue their drive to take over South Vietnam.

Since the cease-fire went into effect, Communist terrorist acts against the people of South Vietnam are estimated at 8,758 incidents as of November 1, 1973

an average of 973 cases per month or 32 cases a day. Writing in the New York Times of November 21, 1973, James M. Markham noted that their attacks were totally indiscriminate:

Viet Cong units have almost regularly been dropping mortars on several district capitals, occasionally opening fire on farmers and other civilians in government held areas, and lately attacking village and hamlet officials.

By any standard it is a strange kind of "peace" which has been inflicted upon Vietnam.

Discussing this "peace" in the January-February 1974 issue of the New Guard, Roy Colby points out that:

The firing did not cease nor did other hostile acts. And the North Vietnamese never intended them to, thanks to their ideological interpretation of the terms "peace" and "cease-fire."

To the Communists, Mr. Colby notes:

A "cease-fire" is unilateral in effect, i.e., the enemies of the communists are supposed to hold their fire while the Communists shoot at them... Since, however, the South Vietnamese refused to go along with this nonsense and insisted on responding to Communist attacks, the war went on, but at a lower degree of intensity.

Mr. Colby concludes that:

The Vietnam war never stopped; it merely slowed down. Anyone familiar with communist tactics can predict confidently the war will reach major proportions again, just as soon as the communists have established overwhelming superiority and are dead sure the U.S. will not intervene again.

Those who have hailed this "peace" agreement have much to answer for, as do those who tell us that Communist goals in the world have now changed and that an era of détente lies ahead. Unfortunately, the facts seem to tell a far different story.

I wish to share Roy Colby's article, "The Phantom Vietnam Peace," with my colleagues and insert it into the Record at this time:

THE PHANTOM VIETNAM PEACE

(By Roy Colby)

In late 1973, shortly before the Mideast hostilities and the Agnew resignation with its repercussions monopolized newspaper copy, a curious UPI dispatch from Saigon reminded readers of the forgotten war in Vietnam. The "forgotten war," I say, because so many people want to put the whole business of Southeast Asia out of mind, surfeited for various reasons, and possibly holding to the theory (in the subconscious, of course) that if you don't think about something distasteful, any potential dangers it may have will go away. An ostrich-sticking-its-head-in-the-sand type of mentality, you might say.

The dispatch strikes political semantics as being curious on account of its headlines and lead sentence. Viet "peace" edges nearer to warfare it was titled, and the initial sentence, properly summarizing the story following, read: "The phantom Vietnam peace edged closer to admitted war Friday, both on the battlefields and in the Saigon conference rooms."

In fair consideration, the headline composer should be congratulated for putting the word "peace" in quotes, together with the UPI correspondent for modifying the same word with the adjective "phantom". Thus is suggested a vague awareness on their part that the kind of peace existing in Vietnam since last January is not what we expected, although we certainly might have, if

we understood communist semantics. What we got last January at the Paris peace table was a communist-type peace, a tactical device to assure the withdrawal of U.S. troops in exchange for the promise of a cease-fire and the cessation of other hostilities.

Well, the firing did not cease nor did the other hostile acts. And the North Vietnamese never intended them to, thanks to their ideological (Communist) interpretation of the terms "peace" and "cease-fire". Incidentally, in Communes a "cease-fire" is unilateral in effect, i.e., the enemies of the communists are supposed to hold their fire while the communists shoot at them. (The Soviets are trying to foist the same unilateral principle onto us at the SALT talks with respect to "strategic arms limitation", meaning we disarm while they increase their military strength) Since, however, the South Vietnamese refused to go along with this nonsense and insisted on responding to communist attacks, the war went on, but at a lower degree of intensity.

In a word, the Vietnam war never stopped; it merely slowed down. Anyone familiar with communist tactics can predict confidently the war will reach major proportions again just as soon as the communists have established overwhelming superiority and are dead sure the U.S. will not intervene again.

Isn't it indeed curious that Western newsmen have never seemed to realize the North Vietnamese war to "liberate" (i.e., conquer) the South hasn't ended, despite the solemn agreements reached at Paris? That the "liberators" from the North merely shifted the killing and terrorism into a lower gear? Can this be because those in the media assume, as so many other Americans do, that communists mean the same thing we do when we come to an "agreement" with them?

Wouldn't you think the Kremlinologists in our State Department would include semantical experts skilled in rendering the true meaning of communist words? Incidentally, is there anyone in the State Department versed in the Communes lingo? Does Henry Kissinger, the new Secretary of State, understand it? If not, why not? Haven't decades of disappointments, frustrations and misunderstandings following so-called agreements with communists states convinced the custodians of U.S. foreign policy that the Reds have an international language capable of conveying ideological import to all terms of international law and diplomacy? Don't American policy makers recognize after all these years that even the concept of agreement is different in Communes, apparently signifying a meeting of minds but actually being a means of gaining strength?

Don't they know by now what "detente" and "peaceful coexistence" mean to the Communists? "Negotiations?" "Strategic arms limitation?" "Peace?" "Peaceful settlement?" "Treaty?" Aggression?" "Increased and reduced international tensions?"

Well, they better find out soon and tell foreign correspondents who confuse a communist-type peace with the cessation of hostilities. Then maybe the UPI dispatch writer will see how foolish it is to write, "The phantom Vietnam peace edged closer to war" when there never was peace in our sense of the word because the war never really stopped.

RESPECT FOR CONSCIENCE

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 1974

Mr. WALDIE. Mr. Speaker, Tuesday, January 22, marked the first anniversary of the historic Supreme Court decision

on the right of a woman to choose whether or not she will have an abortion.

It is obvious that the question of abortion is still a matter of controversy. Conscientious persons of good will and intellect line up on either side of the question. Emotions and spiritual values—unmeasurable yet real—become involved.

As I believe the law must protect the free choice of the woman who in good conscience opts for an abortion, so I believe the law must protect the person who in conscience objects to participation in such a procedure.

At this time I am introducing a bill to provide that respect for an individual's right not to participate in abortions contrary to that individual's conscience be a requirement for hospital eligibility for Federal financial assistance.

Mr. Speaker, the text of the bill follows:

H.R. 12375

A bill to provide that respect for an individual's right not to participate in abortions contrary to that individual's conscience be a requirement for hospital eligibility for Federal financial assistance

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Right of Conscience in Abortion Procedures Act".

Sec. 2. Eligibility of each hospital, clinic, and other medical institution to apply for Federal financial assistance shall also be contingent upon certification satisfactory to the Federal agency administering the program under which such assistance is made available that such hospital, clinic, or institution has afforded all employees who may be directly involved in the procedure of abortion or the disposition of any aborted fetus the right and opportunity to sign a statement of conscientious objection to participation in such procedure or disposition, and that such statements are honored in full without discrimination in regard to the terms of employment or opportunities for promotion and advancement. Such eligibility shall also be contingent upon the keeping of all such statements on file by such hospital, clinic, or institution, and the availability of such file for inspection by such Federal agency.

M. D. "PETE" GILMER

HON. WALTER FLOWERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 1974

Mr. FLOWERS. Mr. Speaker, in recent days the people of Alabama, and particularly the Seventh District which I represent, were saddened by the untimely death of a dedicated public servant, M. D. "Pete" Gilmer.

Mr. Gilmer was just beginning his second year as Alabama Agriculture Commissioner when he passed away. He first joined the Agriculture and Industries Department in 1935 as a food and drug inspector and rose to division head in 10 years. He served as assistant agriculture commissioner under three different commissioners and was himself appointed commissioner in November, 1972, to complete the term of late Commissioner Richard Beard.

In addition to his service in the Agriculture and Industries Department, Gilmer was president of the American Dairy

Association of Alabama for 8 years and served for 6 years in the Alabama House of Representatives from Dallas County.

Pete Gilmer was a man whose entire life was devoted to the people of Alabama. He will be long remembered by those he served so well.

HONOLULU KIWANIS CLUB PRESENTS A WORTHY EXAMPLE IN ENERGY CRISIS

HON. SPARK M. MATSUNAGA

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 1974

Mr. MATSUNAGA. Mr. Speaker, the Kiwanis Club of Honolulu, Hawaii, recently set a patriotic example for other Americans to follow by adopting a resolution calling for energy conservation to alleviate the suffering of their fellow citizens "in areas dependent upon the use of oil for electricity generation."

Without debating the cause of the current energy crisis, the Kiwanis Club noted that energy available from sources outside the United States may be only sporadically available for some time. Members of the club pledged to drive at or below the speed of 50 miles per hour, turn off all lights not in use and cut down on nonessential lighting, and to support all other energy conservation programs. They further resolved to support and encourage research and development of new sources of American energy.

With the thought that other Americans will find the resolution adopted by the Kiwanis Club of Honolulu as heartening and inspiring as I did, I am submitting the text of the resolution for inclusion in today's CONGRESSIONAL RECORD:

RESOLUTION OF THE KIWANIS CLUB OF HONOLULU

Whereas: There presently exists a worldwide energy crisis which affects all people in all places, and

Whereas: Energy normally available from sources outside of the territories and possessions of the United States may, for some time, be available sporadically;

Whereas: We encourage research and development of new and additional sources of American energy;

Whereas: The people of the United States particularly in areas of extreme cold and, in areas dependent upon the use of oil for electricity generation, will suffer as a result of shortages; and

Whereas: We, of the City of Honolulu, State of Hawaii, can and must cooperate in all manner for the benefit of those who will suffer, and to our communities and nation. Now, therefore, be it

Resolved: That each and every one of us as Kiwanians and citizens pledge to cooperate in every way, and more specifically, as follows:

1. Drive at or below the speed of 50 miles per hour, and
2. Conserve on all lighting requirements and turn off all lights not in use, and to minimize all non-essential lighting such as Christmas lights, flood lights not needed for security, etc., and
3. To support all other requested energy conservation programs, and be it further

Resolved: That the Kiwanis Club of Honolulu requests all citizens of the State to similarly cooperate in the united efforts to solve the energy crisis.

REMINDERS: LOOKING AT THE MIDDLE EAST

HON. MARTHA W. GRIFFITHS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 1974

Mrs. GRIFFITHS. Mr. Speaker, at this time, I would like to insert in the RECORD the January 25 editorial and column of Philip Slomovitz, editor and publisher of the Jewish News in Michigan. The editorial recalls the position of the Soviet Union toward Jewish statehood as expressed by Andrei Gromyko in 1947 before the United Nations, while the commentary recalls the longstanding support of American people for Israel.

The editorial follows:

PURELY COMMENTARY
(By Philip Slomovitz)

Uninformed propagandists often question the justification of American friendship for Israel that has developed in substantial economic and military assistance to the Jewish state. It becomes necessary, from time to time, to recall the background of this traditional amity.

For many years, the American Palestine Committee drew much of its strength from the U.S. Congress. For some time, Senators Arthur H. Vandenberg and Robert F. Wagner were co-chairmen of the committee.

On the 25th anniversary of the Balfour Declaration, on Nov. 2, 1942, 68 members of the Senate and 194 members of the House of Representatives, issued a statement which was entitled "The Common Purpose of Civilized Mankind: A Traditional American Policy Confirmed."

The signers of that statement included Michigan's distinguished Senator Vandenberg. In the list of Congressmen whose names were among the signers of that statement was the late John D. Dingell, father of the present Congressman John D. Dingell Jr. The elder Rep. Dingell was one of the dedicated friends of the Zionist cause.

Other Michigan congressmen who signed the 1942 statement were Fred Bradley, Albert J. Engel, Frank E. Hook, Bartel J. Jonkman, Rudolph G. Tenerowicz and Roy O. Woodruff.

That historic statement by the members of the 77th Congress declared:

"Twenty-five years ago the British Government issued the Balfour Declaration pledging itself to facilitate the establishment of a National Home for the Jewish people in Palestine. The Declaration was published to the world with the approval of the other Powers allied with Great Britain in the World War, and with the encouragement and support of the Government of the United States. It was written into the Peace Treaty with the aid and approval of President Wilson who publicly expressed his confidence that the purposes of the Declaration would be fulfilled. A few years later, the House of Representatives and the Senate of the United States, by unanimous vote, adopted a joint resolution favoring the establishing of the Jewish National Home, and on September 21, 1922, the resolution was duly signed by President Harding. Since then, this policy has been reaffirmed by every succeeding Administration, including the present. It has thus become the declared and traditional policy of the United States to favor the restoration of the Jewish Home."

"The Balfour Declaration was justly hailed throughout the world as an act of historic reparation and as a charter of freedom for the Jewish people. It was designed to open the gates of Palestine to homeless and harassed multitudes and to pave the way for the establishment of a Jewish Commonwealth."

"The reasons which 25 years ago, led the American people and the government of the United States to favor the cause of Jewish national restoration in Palestine are still valid today. In fact, the case for a Jewish homeland is overwhelmingly stronger and the need more urgent now than ever before. In Palestine the resettlement has advanced from the status of a hopeful experiment to that of a heartening reality, while in Europe the position of the Jews has deteriorated to an appalling degree. Millions of uprooted and homeless Jews will strive to reconstruct their lives anew in their ancestral home when the hour of deliverance will come."

"We, therefore, take this occasion, the 25th anniversary of the issuance of the Balfour Declaration, to record our continued interest in and support of the purposes and principles which it embodies. We wish to send a message of hope and cheer to those in Palestine who are confronting the common enemy with courage and fortitude and are contributing unstintingly of their manpower and effort to the democratic cause."

"Faced as we are by the fact that the Nazi government, in its Jewish policy, is attempting to exterminate a whole people, we declare that, when the war is over, it shall be the common purpose of civilized mankind to right this cruel wrong insofar as may be in our power, and, above all, to enable large numbers of the survivors to reconstruct their lives in Palestine where the Jewish people may once more assume a position of dignity and equality among the peoples of the earth."

"Our government may be assured that in continuing the traditional American policy in favor of so just a cause, it can rely upon our individual support and the approbation of the American people."

This declaration of "The Common Purpose of Civilized Mankind" remains what the second portion of its title asserted: "A Traditional American Policy."

Congress has never deviated from this policy. All of our Presidents from Wilson onward have endorsed that policy. The overwhelming majority of our Congress adheres to this program. It is reaffirmed as part of basic American interests.

Would that all the critics could read the 1942 statement in this period of crisis. It is as timely today, as a reaffirmation of Zionist libertarianism as it was more than 30 years ago.

GROMYKO: 1947 COMPASSION, 1974 ANIMOSITY

Why has the Soviet Union become antagonistic to Zionism and to Israel? Second to the United States to have recognized Jewish statehood in Israel, May 14, 1948, the Russian representatives at the United Nations had taken a positive stand in support of Jewish historic aspirations. The Soviet representatives supported the Jewish position, they opposed efforts by antagonists to Zionism to create a trusteeship for Palestine as means of creating obstacles to Jewish statehood.

In the course of the debates in the United Nations General Assembly, May 14, 1947, one of the most powerful speeches for Jewish statehood was delivered by the Soviet delegate, Andrei Gromyko. In this unforgettable address, Gromyko declared:

"During the last war Jewish people underwent exceptional sorrow and suffering. Without any exaggerations this sorrow and suffering is indescribable. It is difficult to express them in dry statistics on the Jewish victims of the fascist aggressors. The Jews in territories where the Hitlerites held sway were subject to almost complete physical annihilation. The total number of members of the Jewish population who perished at the hands of the Nazi executioners is estimated at approximately six million. Only about a million and a half Jews in Western Europe survived the war."

"But these figures, although they give an idea of the number of victims of the fascist aggressors among the Jewish people, give no idea of the difficulties in which large numbers of Jewish people found themselves after the war. Large numbers of the surviving Jews in Europe were deprived of their countries, their homes, and their means of existence. Hundreds of thousands of Jews are wandering about in various countries of Europe in search of means of existence and in search of shelter."

"It may well be asked if the United Nations, in view of the difficult situation of hundreds of thousands of the surviving Jewish population, can fail to show an interest in the situation of these people, torn away from their countries and their homes. The United Nations cannot and must not regard this situation with indifference, since this would be incompatible with the high principles proclaimed in its charter, which provide for the defense of human rights irrespective of race, religion or sex. The time has come to help these people, not by words, but by deeds. It is essential to show concern for the urgent needs of a people which has undergone such great suffering as a result of the war brought about by Hitlerite Germany. This is the duty of the United Nations."

"The fact that no Western European state has been able to ensure the defense of the elementary rights of the Jewish people, and to safe-guard it against the violence of the Fascist executioners, explains the aspirations of the Jews to establish their own state. It would be unjust not to take this into consideration and to deny the right of the Jewish people to realize this aspiration. . . ."

"In analyzing the various plans for the future of Palestine, it is essential . . . to bear in mind the indisputable fact that the population of Palestine consists of two peoples, the Arabs and the Jews. Both have historical roots in Palestine. . . ."

"All this leads the Soviet delegation to the conclusion that legitimate interests of both the Jewish and Arab populations can be duly safe-guarded only through the establishment of an independent dual, democratic, homogeneous Arab-Jewish State. . . ."

"If this plan proved impossible to implement, in view of the deterioration in the relations between Jews and Arabs . . . it would be necessary to consider the second plan which, like the first, has its supporters in Palestine, and which provides for the partition of Palestine into two independent autonomous states, one Jewish and one Arab."

Why the change of heart? Why the present animosity and the constant threat to Israel by this very same Andrei Gromyko? Why his warnings to Israel at the opening meeting of the Geneva conference, Dec. 21, emphasizing his country's pro-Arab role?

Perhaps this will stay on for a while as one of the mysteries of the diplomatic war affecting Israel's status and endangering the Jewish state's future. Perhaps Gromyko can explain his attitude. More urgent is the hope that he, on behalf of his anti-Israel government, will revert to a policy of humanism vis-vis Israel. If the USSR is to be a party to peace negotiations, what other role can his government play if there is to be realism and international justice in dealing with the Middle East, the Arabs and Israel?

CONGRESSIONAL COUNTDOWN ON CONTROLS

HON. VICTOR V. VEYSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 1974

Mr. VEYSEY. Mr. Speaker, for 2½ years the American people and our Gov-

ernment have wrestled with Federal controls on wages and prices. We have gone through contortions attempting to apply just the right measure of control, and we are now suffering serious shortages as a result.

Certainly, there was a sound argument for the original application of controls and it is possible that we are better off today for having made that decision. But I am afraid that any advantage we might have gained by temporary checks on our economy is rapidly deteriorating.

A year ago, the Members of this body engaged in heated debate over whether or not we should extend Presidential authority to impose wage and price controls to the end of April of 1974. We decided to pass that legislation, on the premise that controls would be gradually phased out and on the theory that the administration should have a flexible hand in managing that phase-out.

Today, I am not certain that the executive judgment has been wise, and further, I am concerned that we must now take forceful action to bring an orderly end to controls as soon as possible.

In my congressional district the economic stress created by inequitable and ill advised controls has been severe. Cattlemen suffered an economic whiplash from the meat price freeze that put many out of business for good. When that freeze was limited to beef alone the distortion in the economies of beef production intensified as cattlemen began holding beef off the market. Cattlemen reduced the domestic supply of beef, and finally, when the freeze was lifted, the build up of supply smothered the market and live beef prices plummeted.

This same kind of economic distortion, along with the accompanying shortages and crises, has caused turmoil for farmers in several other cases.

With prices frozen, supplies of fertilizers and raw materials began going overseas. Suddenly, we had a fertilizer shortage, then a crisis, and for a while we were flirting with a potentially serious shortage of food because of it.

Right now, baling wire is almost impossible to find and the black market price is five times normal. Steel companies are producing goods where they can get more markup because of the freeze on steel prices.

All companies are going into production of goods with the highest markup potential.

Furthermore, much of the price and supply trouble we now face with the oil crisis can be traced to excessive controls on the free-market economy.

The tendency of industry to export and turn to higher markup goods is especially painful to the plastic industry. Polyvinyls are virtually disappearing as petrochemicals materials are going out of the country.

In my district, a frightening byproduct of this development has suddenly emerged—a potential shortage in hospitals of oxygen equipment. The Hudson Oxygen Co., in Rancho, Calif., which depends on plastic, tells me that the plastic supply will be gone by March 31. This

raises the ugly specter of loss of life for want of adequate oxygen equipment.

Mr. Speaker, I submit that the time for experimentation with price and wage controls is gone. Economic freezes have outlived their usefulness. I urge the Congress to move quickly to bring an end to these controls and I appeal to the administration to make that transition as soon as possible. The entire Nation will gain from such action.

LIFE CYCLE

HON. BURT L. TALCOTT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 1974

Mr. TALCOTT. Mr. Speaker, mankind has a responsibility to preserve the ecosystem which supports life on our planet.

In this country Americans are constantly working to balance economic necessities against their environmental preservation.

Most of this Nation's industry is dependent upon the smooth functioning of the "life cycle" which provides their raw materials. If the cycle were slowed, damaged, or altered, the gears of our economic system would grind to a halt. It is not happenstance that some of our most knowledgeable and conscientious conservationists are found in the business world.

Together with many of the conservation minded in the fishing industry from my district I have been working for some time to alert this body to events of unconscionable environmental destruction which threaten to destroy one segment of America's economy and its resources. The Pacific coast is visited regularly by huge fleets of fishing vessels from Japan and Russia. Miles, sometimes 10 miles, of nets are lowered from these boats as they travel over our Continental Shelf. These weighted nets sink to the ocean floor and trap all in their path. The catch includes everything from the smallest, not-yet-mature, fish to fish eggs which cannot escape these very fine mesh nets.

This technique shows absolutely no concern for future needs and threatens to destroy numerous varieties of fish whose eggs are being wantonly harvested. American fishermen, brought up in the commonsense school of conservation, are worried, frustrated, and angry about this irresponsible activity. They recognize that the consequences of this type of prolonged fishing devastation will be disastrous for their industry, for our environment, for our country, and for mankind generally.

I believe that the United States needs full management control over our coastal fishery resources for conservation purposes. Therefore, I am proposing a three-species concept of control:

I. COASTAL SPECIES

"Coastal nations shall have the ownership of all fish and shellfish resources which live on or above or are dependent upon the continental shelf and slope ad-

jacent to the coastal nation, and the waters above the shelf and slope, for the reproduction and survival during the major part of their lives.

"When stocks of fish are under-harvested by the coastal nation to which they belong, provisions shall be made for harvesting by other nations subject to licensing and control by the coastal nation.

"The coastal nation must carry out such conservation measures as will insure a sustained yield.

"No coastal nation may refuse a license to fish by foreign nations on underfished species. A coastal nation must carry out such research as is necessary to determine the size of stocks and allowable catch to be taken from such stocks. Wise use, sound management practices would be the criteria for the retention of ownership privileges.

II. ANADROMOUS SPECIES

"All nations would recognize ownership by the home nation of all stocks of anadromous fish—fish originating in the inland waters of the home nation. No nation other than the home nation could fish for such anadromous fish anywhere in their high seas or inshore habitat unless granted specific permission to do so by agreement with the home nation. Such species would include: all salmon, all trout and char, shad, and sturgeon.

III. PELAGIC SPECIES

"Pelagic species such as the tunas, sauries, and so forth; not dependent on the waters above the continental shelf of a particular nation for survival during the majority of their life could be fished by all nations without the restriction of coastal national boundaries or territorial seas extending beyond 12 miles except as agreed upon by treaty by all nations concerned in the location, harvest, and conservation of such stocks. Any nation whose coast borders the distribution of such pelagic stocks could be included in any agreement for conservation of these species, in addition to the nations harvesting these stocks."

The Federal Government has a responsibility to protect the interests of American fishermen whose resources are being exploited by marauding nations. These resources are no less valuable, or is their environmental balance any less delicate and worthy of protection, than America's timberlands, mountains, and prairies. Our perspective has to be trained to recognize that the invisible ecosystem—under the oceans—is as vulnerable to irresponsible human manipulation as the visible ecosystem and just as worthy of protection.

Fisheries limitations, straightening of base lines, research, negotiations, even Federal support for our fishing and merchant marine may help, but protection of the fish resources of our planet is essential and urgent.

I urge every Member of the Congress and every conservationist to join me in urging the adoption of the three-species concept for conservation of our fish resources.

CONCEPT OF SURGICAL DAY CARE
SUCCESSFUL

HON. TORBERT H. MACDONALD

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 1974

Mr. MACDONALD. Mr. Speaker, I want to call to the attention of my colleagues an article which appeared in the Wall Street Journal on January 4, 1974. This article discusses the success of the concept of surgical day care at Melrose-Wakefield Hospital in Melrose, Mass. With the mounting concern over the expense of proper medical care, this procedure seems to present an especially constructive approach which is apparently working very well at Melrose-Wakefield Hospital and at other hospitals around the country.

I include the article at this point in the RECORD for the perusal and study of my colleagues:

[From the Wall Street Journal, Jan. 4, 1974]
WHEN SOME PEOPLE TELL ABOUT OPERATION,
THE STORY IS SHORT
(By Liz Roman Gallese)

MELROSE, MASS.—Melrose-Wakefield Hospital faced a problem. Despite a \$2.5 million expansion, its 279 beds were nearly always filled, and doctors in the community had surgical patients lined up weeks in advance waiting to be admitted.

"It came down to a choice between expanding again or detouring patients elsewhere. Neither choice was acceptable," says William L. Nellis, the hospital's general director.

But Melrose-Wakefield did find an acceptable choice. It set up a unit to offer quick in-and-out service, without the usual overnight hospital stay, for patients requiring minor surgery.

That was in December 1967, and the hospital's situation has changed dramatically as a result. It admitted 12,126 patients in the year ended Sept. 30, 1972, up from 7,933 in 1967, and even though it hasn't added a single new bed, surgical patients are getting admitted almost immediately now. Moreover, cost savings and productivity gains, attributable to surgical day care, have helped Melrose-Wakefield hold down costs. Room rates held steady from 1967 to 1970 and have risen 22% in the past three years. The hospital "would have had a far greater increase had it not been for the unit," Mr. Nellis says.

Surgical day care—sometimes called verticare or ambulatory surgery—has been around since 1961, when Butterworth Hospital of Grand Rapids, Mich., pioneered the concept. Over the past few years, the units have spread rapidly. In Massachusetts, 21 hospitals have added them in the past five years. A survey by the American Hospital Association last year turned up 1,427 of the units in 7,000 U.S. hospitals.

MODELS OF EFFICIENCY

"It's catching on because it extends service relatively inexpensively. And under proper supervision, it provides quite good care," says John Alexander McMahon, president of the hospital association.

The unit also sharply increases a hospital's return on investment in its costly operating-room facilities. At Melrose-Wakefield, for example, the seven operating rooms and their staffs formerly stood idle most afternoons because all the beds were filled for the night. Now they're busy all day long.

The Melrose-Wakefield unit handles five to 10 surgical patients daily and seems a model of efficiency. "The entire surgical pro-

cedure is put into a capsule," says Dr. P. Anthony Penta, chief of surgery. Attendants usher patients through the admitting, operating and recovery procedures in an average of four to six hours.

Patients are selected carefully and must be in relatively good health. Anyone who is old, infirm, obese or diabetic is rejected because of the threat of complications. The operations must be relatively quick and simple ones, confined to small areas of the body, involving minimal risks of heavy bleeding or postoperative complications. These operations include biopsies (taking tissue samples for testing), removals of cysts and other growths, surgery to remove teeth and repair diseased gums, skin grafts, face lifts, hair transplants, vasectomies and therapeutic abortions.

INSURERS PRAISE PLANS

Patients are watched closely immediately after surgery. Signs of lingering dizziness or nausea or other complications result in an overnight stay. Nurses walk patients down the long corridor leading out of the hospital, instead of using the usual wheelchairs. "If they can walk that distance, we feel they've recovered," says Louise A. Hickey, director of nurses. Patients aren't allowed to drive themselves home afterwards.

The biggest attraction to patients is the cost. Melrose-Wakefield figures its patients save an average of \$133. Routine surgery requiring a night in the hospital before the operation and another after costs \$158 at Melrose-Wakefield. Use of the day-care unit costs \$25.

The move to one-day surgical centers is getting strong impetus from insurers that pick up most of the tab for hospital stays today. Blue Cross of Massachusetts Inc. is trying to persuade each of the state's 131 hospitals to open units. "Rather than just being a horn of plenty, we're saying, 'Let's rationalize the system,'" says James Latham, a Massachusetts Blue Cross manager.

Currently, 63 of the 74 U.S. Blue Cross firms have plans that pay the full cost of outpatient care, including surgery, up from 42 eight years ago. "We can hardly say anything against it," says Walter J. McNeerney, president of the Blue Cross Association in Chicago. "It's good from all points of view. We save money, and the patients get home faster."

Another major attraction is the amount of time and worry one-day surgery seems to save patients. "I was praying I wouldn't have to stay overnight," says Gayle Means, a third-grade teacher who went to the Melrose-Wakefield unit recently for some tests. "It would have meant unnecessary days off from work."

"It's great," says Suzanne Knight, who had a cyst removed recently at Bon Secours Hospital in Methuen, Mass. "I have two little ones. My mother could have taken them, but she would have had to put one on the bed and another on the couch and hope they wouldn't fall off."

Doctors say one-day surgery is especially good for children, as it reduces their anxieties to a minimum. Jill Means, a bouncy four-year-old with an infected growth under her tongue, for example, arrived at Melrose-Wakefield at 8 a.m. the other day clutching an armful of toys. After half an hour of blood tests and half an hour of waiting, she donned a surgical robe for a 25-minute operation. After two hours in the recovery room, she walked down the hall with her mother and went home for an afternoon of play. "It prevented the trauma of an overnight stay," says her mother. "Jill's first hospital experience was like a normal day for her."

Improved anesthetics are a major factor in the spread of one-day surgery units, doctors say. Today's fast-acting anesthetics, explains Dr. Penta, "wear off faster and leave fewer after-effects."

But not all hospitals are eager to open the units. Hospitals whose occupancy rates are below 80% are particularly resistant. (Melrose-Wakefield's 92% occupancy rate is one of the highest in Massachusetts.) Some of those hospitals see the quick surgical procedures as a serious threat to their much-needed room revenues. "There's no incentive for some of them," Mr. Latham says. "They don't come right out and say they won't, but they cite doctor resistance, lack of space, things like that."

Still, Mr. Latham, like others in the Blue Cross groups, sees wider acceptance of one-day surgery as inevitable because of the clamor against skyrocketing medical costs. Massachusetts General Hospital, whose unit is due to open March 1, expects to do 6,000 day operations annually for an average saving of \$300 per patient, or \$1.8 million annually. (The hospital, which is adding additional operating rooms for the day unit, also expects to free its crowded regular operating rooms for more time-consuming, sophisticated procedures, such as open-heart surgery.)

But "the real savings will be in closing hospitals that don't have to be there," adds Mr. Latham, who figures Massachusetts has twice the number of hospital beds it needs.

Both hospitals in Somerville, Mass., for instance, opened one-day surgery centers a few years ago. "It left so many beds vacant that one of them really should close," says Mr. Latham, who's currently trying to persuade one of the Somerville hospitals to do just that.

SMALL BUSINESS DISASTER
ASSISTANCE

HON. VERNON W. THOMSON

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 1974

Mr. THOMSON of Wisconsin. Mr. Speaker, I am introducing legislation today intended to restructure the Federal disaster assistance program. Besides improving the coordination of emergency assistance to disaster victims, my bill would remove from the Small Business Administration its present responsibility to handle housing disaster loans while retaining its present responsibilities to assist small business disaster victims.

The SBA has been severely hampered in its assigned mission of assisting the Nation's small businesses by its extra load in handling disaster assistance. During the past 3 years, for example, more than 80 percent of the total loans made by the SBA were disaster loans, not business loans. And fully 90 percent of all the disaster loans it handled went for housing disasters, not small business disasters.

My bill would concentrate the Federal homeowner disaster program in HUD where the Federal Disaster Assistance Administration already shares this responsibility. This legislation would assign the SBA exclusive jurisdiction in handling disaster relief loans for small businesses.

The purposes of this bill have been endorsed by the National Federation of Independent Business, the largest single member business organization in the Nation. At this point in the RECORD, I would like to insert excerpts of an excellent statement on this particular problem

made by Frederick L. Willford, director of government affairs of the NFIB:

EXCERPTS OF STATEMENT BY FREDERICK L. WILLFORD

The National Federation of Independent Business firmly believes that the home-owner portion of SBA's disaster loan program has a serious detrimental effect upon its ability to serve its natural constituency—the small business community. Each year the Small Business Administration's responsibilities in this area have grown heavier and heavier, diluting its overall effectiveness in behalf of small business more and more.

Since its creation, SBA has been in the forefront of the Federal disaster relief effort. It has helped millions of Americans recover from the devastations of innumerable natural disasters—a much needed and highly commendable public service. But this is not the Agency's natural sphere of activity and the burden of its growing involvement in this area has fallen heavily upon the shoulders of the small business community.

It is fairly common knowledge that the Small Business Administration is the stepchild of the Federal Government. It is understaffed, underfunded and often ignored, yet it is charged with ministering to the needs of over 5½ million small and independent firms—more than 95% of the total business population of the United States.

A brief comparison of its resources with those of the Department of Agriculture will amply illustrate our point. SBA has a staff of approximately 4,750 concentrated in 86 offices located mostly in major metropolitan areas. Its fiscal 1974 budget is roughly \$22 million. The USDA, on the other hand, has 116,200 employees dispersed in some 1,700 offices throughout the United States. These are supported by a \$15 billion fiscal 1974 budget. With this the USDA looks after the needs of three million farmers, which is slightly more than half the nation's total small business population.

Of SBA's meager allotment of 4,750 employees approximately 500, or 10½ percent, are permanently assigned to its disaster relief programs. But this is only the tip of the iceberg. In the wake of a natural disaster, this number can swell enormously overnight as the Agency gears up to meet the emergency.

SBA's response to the devastation of Hurricane Agnes provides an excellent example of the magnitude of the burden placed on it by this program. In its aftermath almost every SBA office east of the Mississippi was at least partially committed to disaster relief. In addition, Agency personnel from Washington and loan specialists from as far away as California were temporarily assigned to the emergency operation.

This action created a manpower drain that lasted almost six months. During this period many of the Agency's normal small business activities were severely curtailed and some of its regular business loan programs, especially in the areas hardest hit by the Hurricane, came to a complete halt. It was well into the first half of 1973 before the Federation stopped receiving complaints about SBA service and cooperation from its members in Pennsylvania.

While the Federation realizes that the unfortunate victims of natural disasters must be comforted and assisted as quickly and as thoroughly as possible, it sees absolutely no reason why this has to be accomplished at the expense of the small business community. Under the circumstances cited above, it is quite possible for a small business loan applicant to see his life's work collapse while he is forced to sit and wait for the Agency to resume its normal small business functions.

A brief examination of the Small Business Administration's lending activities over the past three fiscal years will further emphasize our point.

From Fiscal 1971 through Fiscal 1973 SBA made 449,218 loans (these included 7(a), EOL, Displaced Business, 502 and Disaster). Out of this total, 81.4 percent were granted under its disaster authority, while only 13.1 percent were regular 7(a) business loans. In Fiscal 1973 alone, 215,001 disaster loans, representing 86.5 percent of its total, were made. Of these disaster loans only 22,301, or slightly more than 10 percent, went to businesses. The remainder, some 192,700 loans, were made to homeowners to repair or replace their dwellings.

It is obvious that SBA is expanding far too much of its meager resources in this area. Yet, its participation in and responsibility for disaster relief is increasing steadily. Currently, it is helping the victims of 26 disasters, all of which have occurred since the first of the year.

Clearly, the Small Business Administration cannot continue to serve two masters simultaneously. If something is not done to correct this situation, one of them—probably the small business community—will suffer.

SBA has long recognized that its ability to assist small business has been eroded by the growing burden of its disaster relief program. In July, 1972, Tom Kleppe, its very capable Administrator, did not try to mask his feelings when he stated before the Senate Banking Committee that he "would like to see the housing portion of the disaster program" transferred to HUD. NFIB and others who are aware of the burden this program has placed on the Agency agree with him wholeheartedly.

The employees of the Small Business Administration are very dedicated and competent. They have many years of first hand experience with small business problems and their fine record speaks for itself. Because of this, the Federation sees no logical reason or pressing need to give the small business portion of the disaster program to HUD. We are fearful that this action might create more problems than it would solve, and we are forced to agree with Administrator Kleppe's position that only the housing segment of the program should be transferred.

COMMONWEALTH POLAND IN EXILE SUPPORTS ISRAEL

HON. EDWARD J. PATTEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 1974

Mr. PATTEN. Mr. Speaker, with the Mideast crisis coming to an end, we must never forget the great struggle Israel made for its very survival. Although the fighting has virtually stopped, Israel has lost many men and it will take a great deal of time and effort as well as support for Israel to regain its strength.

One group supporting this tiny, courageous country is the Commonwealth Poland. These worthy people have written of their support for Israel. The article follows:

DECLARATION OF SUPPORT

On behalf of the President of the Commonwealth Poland in Exile, Juliusz Sokolnicki, and on behalf of the Polish American Revival Movement Conference, we are issuing the following statement of support and concern for the State of Israel and the Jewish Nation.

1. As a continuation of the old Polish tradition for support the nations who fought for their independence, we wholeheartedly support the struggle of the Jewish people in Israel for their independence. We believe that the people of Israel have the right to their land as the Polish Prime Minister Beck once

stated in the League of Nations before World War II.

2. We believe that the Western Powers, especially the United States of America, should not bow to the Soviet Russian pressure and should not agree to any "provisions" which would endanger the independent State of Israel.

3. We ask all people in the world, especially Polish people, to assist and support the Israeli cause as we did in the past before World War II when we trained in Polish Army Camps the armed units of the Polish Jewish Organization "IRGUN" and "HAGANAH", who later took part in their fight for independence in Palestine.

4. We ask Polish people abroad to send money to the Jewish organizations who are collecting money for Israel.

5. We ask the President of the United States, the members of the Congress and Western diplomats to prevent any Yalta-type "agreements" with the Soviets which would bring Israel and their people under foreign slavery as it happened to Poland and other East Central European countries.

BEWARE OF POLICE LAWLESSNESS

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 1974

Mr. RANGEL. Mr. Speaker, one certain method of undermining public confidence in the police is police lawlessness. This lawlessness can take many forms: Corruption, brutality, disrespect for and abuse of civil liberties, callousness to due process requirements of the Constitution and racial discrimination.

I would like to share with my colleagues an article by Ira Glasser of the New York Civil Liberties Union which appeared in the Westsider. Mr. Glasser articulates the potential danger if we ignore police lawlessness.

The article follows:

INCREASED POLICE POWER IS A CRIME

(By Ira Glasser)

Willie Hamilton is a reporter for the Amsterdam News. On September 5, 1973, he was at 125th Street and Eighth Avenue when he saw a police officer waving his gun at a man in the street. Another police officer was close behind. Hamilton approached the second officer, showed him his green press card and asked what was going on. In response, and without warning, Hamilton was arrested.

He was taken to the local precinct, where he saw the first officer beating the man at whom he had earlier pointed his gun. The man dropped to the floor under the impact of the blows, and then the officer came over to Hamilton. There in the police station Hamilton was hit with a billy club and cut on the chin. He was then charged with resisting the arrest of the unidentified man and obstructing governmental administration. Both those charges were later dismissed by the grand jury.

What happened to Hamilton was not an isolated incident. On March 24, 1973, Edward Rickards, Jr., a newsman for WINS radio, saw a policeman leading a street peddler by the arm. He approached the policeman and told him he thought the police should leave honest peddlers alone and concentrate instead on drug traffic within the police department. For voicing that opinion, Rickards was arrested and charged with obstructing governmental administration. The charge was later dismissed.

Last February, James Ganocy, a bookkeeper, saw an undercover policewoman in the

Times Square area whom he recognized from a prior newsworthy. He saw a man approach and it appeared to him that the police-woman smiled at the man and said something to him. When the man turned towards her, another plainclothes officer moved in and arrested him. Ganocy approached the arrested man, gave him his business card and said he would be willing to testify in his behalf. For his pains, Ganocy was then arrested and charged with obstructing governmental administration. The charge was later dismissed.

Richard Black is a member of a radical political organization and a photographer for its official newspaper. This past November, he was at the New York City Criminal Court to witness proceedings in the cases of two fellow-members of his organization who had been arrested in their offices. (One of these arrests was for obstructing governmental administration by asking what the reason for the other arrest was!) Black took pictures of the arresting officer, who had been accused of assaulting the two, on the street outside the court. The officer later came out, shoved Black around, took the camera and arrested Black. Once inside, the officer removed the film from the camera and exposed it to the light in the presence of a superior officer. The superior officer did nothing. Later, Black was offered a deal: the charge against him would be dropped if he agreed not to press any claims against the police for taking his camera and ruining his film.

These sorts of incidents have occurred for years. People who question or criticize a police officer, or take photographs of or in any way comment upon police conduct are arrested and charged with obstruction to cover the illegal arrest. These incidents have been brought to the attention of the Police Commissioner, past and present, and notices have gone out designed to eliminate such harassment of citizens. But the harassment has continued, and now a lawsuit has been filed in federal court which seeks money damages from the offending police officers and an injunction prohibiting such illegal arrests in the future.

This issue provides a good example of illegitimate police power. People who fear crime, and especially violent crime, sometimes believe that if the police are given more power, the streets will be safer. But too much police power is itself a cause of unsafe streets. Any society that allows its police to act like bullies just because they have a badge and a gun sacrifices its liberties: Chile today is not a very safe place to be.

The ironic thing about excessive police power is that it rarely helps catch criminals or protect citizens. Who is safer because Willie Hamilton was arrested? Which of us is more secure from muggings because Richard Black had his camera taken away? Last week, the United States Supreme Court ruled that whenever a police officer stops an automobile for even the most minor traffic violations and takes its driver into custody, the driver and the car may be searched thoroughly (not just a pat-down frisk for weapons) for evidence of any other crime, without a warrant or any probable cause to believe that a crime has been committed. The law always permitted police to search without a warrant if the search was incidental to an arrest. Thus, if a man was arrested for weapons, money or any other evidence reasonably connected to the crime for which he was arrested. If in the course of such a search, evidence of an entirely different crime was also found, that was permissible because the original search was legal.

Now, however, a car can be stopped for going through a stop sign, and its driver arrested. Clearly, no search of the driver of the car is necessary to provide evidence of passing the stop sign. But under the recent 6-3 ruling of the high court, the police may

thoroughly search both the driver and the car.

The rationale for this increase of police power is the rise of crime, particularly violent crime. But these expanded searches, done without a warrant and entirely within police discretion, bear no relation to serious crime. They will not turn up many kidnappings by searching people who go through stop signs. Cars that make illegal U-turns are not very likely to contain guns or dead bodies in their trunks. People going five miles above the speed limit are not often going to turn out to be major drug dealers with a hundred pounds of pure cocaine conveniently stashed in their glove compartment.

What will happen is that the police will exercise their new power according to their own biases. They will decide whom to search, and the decision will be based on looks. Blacks and other nonwhite minority groups will be searched more frequently; so will the young and those with a lot of hair. Dress and personal appearance will become an index of criminality, and the police will harass those whom they don't like. They will probably find a good deal of marijuana, but will we be safer from muggings because of that?

If in our fear of crime we remove the Constitutional limits upon police power, we will not make it easier for the police to protect us from violent crime. Quite the contrary, we will now need to fear not only the criminals, but also the police. That makes us less safe, as other societies have discovered.

A BILL TO INCREASE LUMP-SUM PAYMENT UNDER SOCIAL SECURITY

HON. WILLIAM H. HUDNUT III

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 1974

Mr. HUDNUT. Mr. Speaker, one of the finer provisions of the Social Security Act is the lump-sum death benefit paid to help defray the cost of the funeral. Unfortunately, the amount of the benefit has not increased with the rise in funeral expenses. A maximum of \$255 was established for this benefit in 1954 and it remains at this figure today. Since 1954, average retirement income under social security has increased from \$59.14 to \$165.41 in September 1973, a 180-percent rise. The average increases for all benefits over the same period is 117 percent. Clearly the size of this important benefit has not kept pace with other benefits under social security.

The National Funeral Directors Association reports that the cost of an average funeral in 1972 was \$1,097. Only 17.2 percent of all funerals in 1972 cost less than \$800. And these cost figures do not include charges for the interment receptacle, burial clothing, cemetery or crematorium expenses, monument or marker, honorarium for the clergyman, flowers, transportation, or newspaper notices—only payments to the funeral director are included.

As a minister, I am well aware of the complex nature of the burdens that follow the death of a family member. As legislators, there is one such burden that we can help relieve and that is financial. The present size of the lump-sum death benefit is unrealistic when we consider

the increases since 1954 in all other social security benefits, and the increases in funeral costs over the same period.

I am introducing a bill today proposing a flat \$750 grant in place of the current, graduated system that makes a minimum payment of \$258.50 and a maximum of \$255. A payment of this size just does not do the job it was intended to do when the facts show that the vast majority of funerals today cost well over \$800. I urge you to consider this proposal as both a fair increase in a fiscal sense, and a humanitarian gesture to people in a real time of need. It is my hope that the Committee on Ways and Means will give it early and favorable consideration.

TIME ON "TIP"

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 1974

Mr. MOORHEAD of Pennsylvania. Mr. Speaker, yesterday's Time magazine cover story centered on this Chamber and a man we have all come to deeply respect, greatly admire, and cherish, the majority leader of the House, "Tip" O'NEILL.

Time calls "Tip" "a great shaggy bear of a man who is equally at home bellowing Irish ditties or talking history with Harvard professors."

The article further cites our great friend's service to his district, and his affable nature.

Focusing on the monumental questions facing the Judiciary Committee, and in all likelihood this body, in the coming months, the Time story is interwoven with insights about House procedure and the charms of the gentleman from Boston.

I would like to put this article into the RECORD for the information of my colleagues:

JUDGING NIXON: THE IMPEACHMENT SESSION

Quite by coincidence, the second session of the 93rd U.S. Congress began last week on the eve of the Chinese New Year, the Year of the Tiger. But there were very few tigers in evidence among the returning 431 Congressmen and 100 Senators. Their sojourn among the voters back home during the 29-day holiday recess exposed them to an American public that was angry, suspicious, impatient and sour, and one, moreover, that was sharply divided on how to solve the nation's problems. Energy shortages, exploding prices, dwindling jobs, all conspired to make 1974, for most legislators, loom as their Year of the Nervous Stomach.

Beyond pipeline and purse-string issues, what weighs upon Congress is the judgment it must pass upon Richard Nixon in this session. It is a cup that the Congress, almost to a man and woman, would rather let pass from its lips. No U.S. President has ever been found guilty of the Constitution's "high Crimes and Misdemeanors" and turned out of office before his time. Only once has a President been impeached by the House and stood trial in the Senate, and Andrew Johnson's ordeal took place a full century ago (see TIME ESSAY page 30). Yet unless Nixon resigns, and he insists that he will not, the

93rd Congress will surely find its place in history as the "impeachment Congress." The rubric will stand whatever the outcome, even should the House ultimately vote that there are insufficient grounds to support impeachment and let the matter end there. The processes already well begun will ensure the niche.

For the moment, the historic burden rests most heavily on the House of Representatives, and with special force on Congressman Thomas P. ("Tip") O'Neill, Jr., 61, the floor leader of the Democratic majority in the House and the man responsible for ensuring the fairness of the impeachment process. "The main thing is getting the show on the road," says O'Neill. "The American people want some action—and they want it on a nonpartisan basis."

The House must play the role of grand jury, deciding whether the evidence of presidential abuse warrants sending articles of impeachment to the Senate. The House duty, as Republican Congressman John B. Anderson phrases it, is to conduct "the grand inquest of the nation." Since October, the House Judiciary Committee has been at work assembling evidence and defining the modern meaning of high crimes and misdemeanors; it hopes to finish its work by April or May. If the 38-member committee then votes to recommend impeachment, the House as a whole cannot escape voting yea or nay on the President. A simple majority of yeas would put Nixon on trial by the Senate, with Supreme Court Chief Justice Warren Burger presiding. At that point, Nixon might well choose to fight no further and resign.

NIXON KNEW

Few members of the House have any illusions that they will be permitted to escape that momentous roll call in late spring or early summer. It is accepted as a virtual certainty that the Judiciary Committee will vote an impeachment. Indeed, House Minority Leader John Rhodes felt that he had no choice last week but to go to Nixon and flatly warn him of the worst. Says Rhodes: "I told him why it [the articles of impeachment] would be voted out. All you have to do is look at the numbers of Democrats on that committee who put in resolutions of impeachment or said they favor impeachment." Nixon, who can count votes too, did not really need to be told. The President, reports Rhodes, "didn't seem overwhelmed or surprised."

In fact, Nixon's new game plan of an all-out fight against impeachment, coupled with White House efforts to depict the House process as a political vendetta rather than a judicial inquiry, is doubtless aimed at the vote of the House on the committee's finding. The President knows that the members of the House are caught on the horns of a cruel dilemma, indeed several dilemmas. They have been sent back to Washington with contradictory messages from the folks at home. Most Americans think that the President is guilty of one charge or another in the Watergate scandals; they would like to see him out of office. But they do not yet want him to be impeached. Most Americans, sick to death of Watergate, want Congress to act quickly on the impeachment question. This feeling is summed up by what amounts to a new political cliché: "Impeach him or get off his back." Yet the people also want the impeachment handled fairly and judiciously.

SAVING SKINS

Trying to make sense of these conflicting impulses, a good many Congressmen have come to a terrifying conclusion: that the people want Congress to do what it thinks best. That is not, by and large, what the House of Representatives does best in the best of times, and in this election year most Congressmen shrink from such a mandate like the plague. It heaps too much responsibility

on their shoulders, forces them to step out ahead of the people and commit themselves to a position that could later prove disastrously unpopular. What they would like to do is wait until public opinion crystallizes and they have unequivocal marching orders. The production of fresh evidence in the months ahead before the vote could provide those orders. In the meantime, no one wants to act precipitately on impeachment. Polls of House members show only a few dozen willing to declare firmly for or against impeachment now. The vast majority of Republicans and Democrats are staying carefully uncommitted. Their re-election may well depend on it.

What many members of the House would really like, of course, is for Nixon to resign, taking the House off the hook. That, too, is true on both sides of the aisle, though no House Republican has thus far dared publicly voice the feeling. (On the Senate side, the only Republican to call for resignation so far has been Massachusetts' Edward Brooke.) Democrat Frank Thompson Jr. of New Jersey puts it bluntly: "Most guys hope and pray for a resignation. I can think of 25 Republicans I know who will have to vote for impeachment to save their skins."

Part of Nixon's strategy is to deny any hope of that prayer's being answered. He invited Speaker of the House Carl Albert to breakfast with him at the White House and declared flatly: "I'm not going to resign. I'm going to serve out my term." In his chat with Rhodes, the President reported what Senator Barry Goldwater had told him: "Barry was in here the other day and he said to me, 'Resignation? Anybody who had the guts to support me in 1964 has more guts than to resign from this job.'"

Adding that message to those from the voters, the House has no choice but reluctantly, warily to continue to move down the impeachment road. It is a dangerous road not only for Congressmen but for the nation as well. Whatever the outcome for Nixon, millions of Americans are going to be at the very least dissatisfied and unhappy. And if the process is not seen to be orderly, just and reasonably nonpartisan, the effect could divide the nation and embitter U.S. politics for years to come.

The man who is charged with guaranteeing the probity of the impeachment steps in the House is hardly a household name. Congressman Tip O'Neill, the majority leader, has always preferred to work behind the scenes during his 21 years on the Hill. Although he is now beginning to play more of a public role in this affair, O'Neill intends to continue to do most of his work out of sight in the weeks ahead.

How the question of impeaching the President reaches the floor of the House this session, when, in what form and with what support, are all his duties. They are the sort best executed in the back offices and cloakrooms of the House, where the bargains are struck, the power shared and melded, where persuasion can take root. It is a process that O'Neill knows well. "I have an ability to read the sense of the House," he says frankly. "I've never had a problem that I could not put the thing together."

O'Neill is a gregarious, back-slapping, poker-playing Boston Irish politician out of a renowned tradition (see box), a great, shaggy bear of a man (6 ft. 2 in., 268 lbs.) who is equally at home bellowing Irish ditties or talking history with Harvard professors.

BONE AND STEEL

O'Neill's role as the political architect of what he hopes to keep an essentially nonpolitical effort is an odd one. On any other issue, his job as party floor leader is to be the cutting edge of the Democratic program in the House. But he is keenly aware that the validity of the impeachment process would be destroyed by partisanship, by permitting

Nixon's charge that it is a Democratic effort to undo the Nixon mandate of 1972 to become true—or even seem to be true. He is determined that the issue of Nixon's guilt or innocence of presidential wrongdoing shall, so far as possible, be the only issue.

Though he has said that Nixon should resign, he insists that he has not made up his mind on impeachment. Says he: "I'm still taking the position that I'm a grand juror. I want the Judiciary Committee to report, and then I'll study the report and make my own decision. This is a matter for every man's conscience. I'd never try to persuade anybody to vote one way or the other on this. The best interest of the country must come first."

A particular weight falls on O'Neill by default of the other two key Democrats in the drama. Many House Republicans believe that New Jersey Congressman Peter W. Rodino, the dapper Judiciary Committee chairman, has already prejudged Nixon's guilt and is determined to impeach him. The Republicans' respect for O'Neill, and their knowledge that Rodino leans heavily on the floor leader for advice, helps offset those suspicions. House Speaker Albert, who tends to shrink from the enormity of impeachment, also looks to O'Neill. Says one senior member of the House: "Tip's put some backbone and steel in the Speaker and Rodino." Says Albert of O'Neill: "Tip is a rare individual. He has all the instincts of a good rough-and-tumble Irish politician, and he also has a terrific amount of courage and common savvy."

Part of O'Neill's own steel in presiding over the impeachment procedure is his absolute control of his district, built up in a lifetime of old-fashioned service and cultivation of his constituents. His voters, by his soundings, have, predictably in liberal Massachusetts, long since decided in favor of impeachment. But O'Neill continues at every opportunity to hear them out when he is home from Washington on weekends.

Recently TIME Correspondent Neil MacNeil followed Congressman O'Neill as he took what he calls his "ethnic walk" through home-town Cambridge, sampling opinion while simultaneously wooing votes. As he has every Saturday for years, he stopped at his Chinese laundryman's to pick up the shirts that his wife Millie had left earlier in the week, visited his Italian shoemaker, his barber, and half a dozen other shopkeepers.

TOP START

Lunging into Red's grocery, his huge hand outstretched, O'Neill greeted Vicki, the cashier. "How's everything going?" he boomed. "What do people think of Nixon?" Replied Vicki: "Most people think he should be impeached."

And so it went all up and down Massachusetts Avenue. "Dominick," O'Neill hailed an Italian tailor, "how's everything?" Dominick responded that the inflation was terrible; bread was up to 47¢ a loaf. "Tell me," asked O'Neill, "what kind of shape is the President in? Should he be impeached?" Answered Dominick: "You bet he should—I'm surprised you don't do it yet."

Back on the sidewalk again, O'Neill was spotted by a bearded, middle-aged driver who slowed down to yell, "You better get that important resolution out of the Judiciary Committee. We're watching you!"

In the delicate weeks and months ahead, O'Neill will indeed be watched as never before, particularly by his peers in the House. He will need all the acumen gathered in his lifetime in politics. But he started learning at the top almost from the beginning, and had the best tutors in the business along the way.

He first entered Congress in 1953 with the immense advantage of being the protégé of Democratic Whip John McCormack, a fellow Boston Irishman who was later to become

Speaker of the House. McCormack got O'Neill to look at issues not just from the point of view of Boston, as he had been raised to do, but from a broad national perspective. In O'Neill's second term, McCormack got him a place on the powerful Rules Committee, a rare honor for a new man since the committee controlled the flow of legislation to the floor.

With McCormack as his patron, O'Neill soon entered the inner circle of the House, where his blarney and good fellowship made him a quick favorite. O'Neill regularly attended the select meetings of Sam Rayburn's "board of education," afterhours sessions in the Speaker's office where the likes of Lyndon Johnson, Albert and McCormack met over bourbon to discuss the business of Congress.

O'Neill was also invited to take part in another congressional rite reserved for the elite—the late-night poker games involving some of the top leaders on the Hill. O'Neill more than held his own; he had helped earn his way through Boston College by playing poker. In one night of good hands, recalls O'Neill, a man could win \$400. "Nobody ever got hurt," says O'Neill.

REFORMING POL

At the card table O'Neill met and for a while became friends with another poker player of repute—Richard Nixon, then the Vice President. But for all Nixon's reputation—he had won a bundle in the Navy during the war—O'Neill found him lacking. "Nixon was one of the loudest players I ever played with," Tip remembers. "He didn't follow the cards. He talked too much. But he was an affable and likable guy in that friendly atmosphere, and the other players were nice to him because he was Vice President."

In the crunch of politics since then, the President and the Congressman have ceased to be friends, but O'Neill knew him long enough to offer an insight into his personality that he feels may partially explain Watergate. Because he is such a loner, suggests O'Neill, the President does not do enough personal assessing of the men being considered for his staff, taking them on the judgment of others. What is more, says O'Neill, "Nixon is well briefed—but he's briefed the way his people think he wants to be briefed. He's not briefed on the other side of the question."

For all his easy manner, O'Neill is a deeply ambitious man, a man completely confident of his ability to lead after his long years of experience in the House. In his early days, the Rules Committee was stalemated by a split between conservatives and liberals. To get any legislation he supported moving, O'Neill had to learn the House technique of bargaining, bluffing, pleading and bargaining again. Years later, O'Neill was able to use his position on the committee to drive a key bargain with President Johnson. When Johnson phoned to ask him to vote for a bill that he wanted badly, O'Neill replied: "Gee, I don't know if I can be there. I'm so busy trying to save the Boston Navy Yard." Said Johnson: "Let me worry about the Boston Navy Yard. You be at that committee. I need your vote."

When he became party campaign chairman in 1970, O'Neill won the respect of his fellow Democrats by distributing funds fairly, whatever the candidate's state or political philosophy. Old Pol O'Neill also earned points in the House by supporting the reforms of the Legislative Reorganization Act of 1970, which made public for the first time votes taken in committees and made on amendments offered on the floor. By steadily playing his own cards right, he rose to become party whip in 1971. Then, in October 1972, an airplane carrying Majority Leader Hale Boggs disappeared while flying across Alaska. In November, with Boggs presumed dead, the Democrats prepared to elect

his successor. Before he became a candidate, O'Neill asked permission of Boggs' wife to go ahead, to be sure that she had given up hope that her husband would ever be found. Working the telephone, O'Neill lined up the support of 121 Democrats in three days and 190 by Thanksgiving. His only rival was Sam Gibbons of Florida, who quickly withdrew when he saw that the struggle was hopeless. Said Gibbons: "I know better than anyone that Tip doesn't have an enemy in the House."

In January 1973, the new majority leader was responsible for the adoption of a party reform weakening the traditional seniority system that automatically kept committee chairmen in power year after year. Now the chairmen must be approved at the start of every Congress by a vote of the entire Democratic caucus.

AGNEW REJECTED

As majority leader, O'Neill admits, "I'm a terrifically Democratic partisan." He has shown himself to be a skilled and salty battler with the White House, a role that Speaker Albert has never been able to fulfill because of his natural tendency to avoid controversy. When the President called for cooperation last summer between the Administration and the Congress—and then threatened to use some vetoes—O'Neill cracked: "It was hard to tell whether the President was calling for teamwork—or a scrimmage."

But O'Neill said he was willing to try to work with the White House—especially with former Congressman Melvin Laird, who was then on Nixon's staff. When the two old acquaintances met, O'Neill told Laird: "We've got the votes to pass legislation. You've got the votes to sustain vetoes. Let's talk." Talk they did, and what emerged from the conference was compromises that led to the passage of such bills as the act reforming manpower training.

O'Neill showed his influence—and political sensitivity—last September when Spiro Agnew sought to have the House of Representatives investigate reports that he had accepted bribes from Maryland contractors. During the meeting between the Vice President and the Democratic leadership, O'Neill immediately sensed that Agnew was desperately trying to keep the case out of the courts. When there was some indecision about how the matter should be handled, O'Neill was the man mainly responsible for convincing Speaker Albert that he should reject the plea out of hand.

After the Watergate affair broke open last spring, O'Neill became deeply involved in the House's reaction. He and Albert squelched as "premature" a move by Congressman John Moss to have the House start impeachment hearings after Senator Sam Ervin's committee began its work. O'Neill knew that there were insufficient grounds at that point to justify the step, which could jeopardize future efforts if the evidence came to warrant impeachment.

Then John Dean testified in June and O'Neill really moved into action. He told Chairman Rodino: "You've got to get ready. This thing is going to hit us, and you've got to be prepared for it. And keep it from becoming political."

As Rodino set up a special staff to study the question of impeachment, O'Neill kept badgering him regularly: "How do you think it's going? Are we moving?" When Rodino delayed too long in naming a special counsel, O'Neill delivered an ultimatum: "You've got to have your man before we go home for Christmas." In December Rodino named John Doar, who had O'Neill's approval because he was a Republican and thus could not be attacked for partisanship.

A HOUSE DIVIDED?

Prodded by O'Neill, Rodino has shown an increasing sensitivity about maintaining not

only a nonpartisan approach but also the appearance of nonpartisanship. Last October, Rodino made the mistake of proposing that only he have the right to subpoena materials. When the committee voted on the motion, the Democrats predictably won by a straight party vote, 21 to 17. The Republicans then charged, not without some reason, that it appeared the Democrats were out to get the President by collecting only anti-Nixon evidence.

Last week Rodino corrected his mistake by offering to share the right of subpoena with Edward Hutchinson of Michigan, the ranking Republican on the committee. Rodino will soon ask the House to vote to grant subpoena power to the committee. That seems certain to be given, since Republicans are in the vanguard of those urging the committee to get on with its assignment. The effect will be to put the full weight of the House behind the inquiry.

Meanwhile, Counsel Doar and his staff of 40 are trying to lay hands on the documents, tapes and testimony that Special Prosecutor Leon Jaworski has been accumulating on all phases of Watergate. Without the files, warns Rodino, his hearings could drag on until next year—a prospect appalling to everyone. But Jaworski, who has to worry about charges of partisanship himself, has been carefully insisting that he does not now have the legal right to turn over his files to Rodino.

Jaworski has, however, been hinting broadly that he would gladly turn over his files to Rodino if so ordered by John J. Sirica, the federal judge who convened the Watergate grand juries. Rodino is expected to ask Sirica to solve the impasse. If Sirica refuses, Rodino can try to subpoena the materials. Assuming that he can get Jaworski's files, Rodino has promised O'Neill that he will push for a committee vote on impeachment by April or May.

"At the moment," says one G.O.P. leader, "there are not more than one or two Republicans on that committee who are inclined to support an impeachment resolution." One or two are not enough. It is generally agreed that at least six of the 17 Republicans on the committee must endorse the resolution before the Democrats dare risk sending it to the floor. Otherwise, unless one or more charges are clear-cut and proved, the Democrats would leave themselves open to the accusation of partisanship. In that case, not enough Republicans would support impeachment in the final vote—though the Democrats could force it through by simple majority—to convince the American people that the Democrats were not simply voting to oust a Republican nemesis.

And if a badly divided House sent charges against the President to the Senate, the leadership there might not be able to get the necessary support—two-thirds of the members present at the time of voting—to find Nixon guilty. As matters now stand, Republican leaders feel that no more than 44 Senators would favor conviction on the weight of the evidence available thus far.

While the House has been struggling with impeachment, the Senate has adopted an attitude of watchful waiting on the issue. Neither Majority Leader Mike Mansfield nor Minority Leader Hugh Scott has even allowed any time for an impeachment trial in their advance planning for the year. "I don't think the House will impeach," says Scott flatly. In an effort to keep wavering Republicans in line, Scott has warned: "History does not deal gently with regicides." For his part, Mansfield hopes that the House will not impeach "because politically it will help no one, and it will hurt the country."

But even Senate Republicans admit that chances for impeachment would vastly increase if another Watergate bombshell burst over Nixon's head. Says one key Republican: "If, for example, it were shown that the Presi-

dent had anything to do with the 18-minute erasure, or that he was directly involved in any other aspect of the cover-up, all bets against impeachment would be off."

O'Neill is not waiting for a bombshell to remove the problem. And as he harries along the impeachment proceedings, he has other problems to worry about. A long agenda of important legislation looms. Congress has yet to pass an emergency energy bill to give the President broad powers to cope with the fuel shortage. In the wake of Watergate, there are bills to tighten the income tax laws and to provide federal financing for political campaigns. A trade bill is pending to give the President the power to negotiate worldwide agreements easing the flow of goods. There is rising sentiment for national health insurance. And up ahead is another fight over the size and shape of the military budget.

ON THE FROWL

As the Congressman returned to the House last week, they came under pressure from lobbyists on both sides of the issue of impeachment, the most powerful by far being AFL-CIO President George Meany, who is now dead set against the President he helped elect in 1972. If Nixon does not resign, Meany wants him impeached and tried. The American people, he says, "have a right to know whether or not their President is a liar."

To check on the mood of the reassembling Congressman, O'Neill was prowling the floor, the Speaker's lobby, cloakrooms, back offices, even the gym. In all, he talked to more than 200 of the 431 Representatives. He detected that some Republicans who had been considering impeachment before the holidays were drawing back. "Their leaders are talking to them about their sense of loyalty," he said.

On the other hand, O'Neill's sensitive antenna picked up a slight change in attitude by some Southerners, who had formed a solid bloc against impeachment before the holidays. The main cause apparently was the call for the President's resignation two weeks ago by Arkansas' Wilbur Mills, who is not only one of the most powerful men on the Hill but also the chairman of the committee that is examining Nixon's tax returns. Reports O'Neill: "The Southerners came back wanting to see the evidence. If the evidence comes out that the President has lied or obstructed justice, that's going to solve the whole thing."

HISTORY REPEATED?

O'Neill also believes that more and more Republicans, caught in the crosscurrents of the impeachment process, will in the end go along with the recommendations of the Judiciary Committee—provided that they are fairly drawn on the basis of available evidence. The Republicans could then argue that they were only doing the honorable and intelligent thing: endorsing the views of the men and women who had studied the issue the hardest and turning the matter over to the Senate for final judgment as the Constitution provides. On quite another level, they could also argue that not to vote impeachment would play into the hands of those Democrats who would like to see the Republican Party still snarled in Nixon's problems come the November elections. Predicts O'Neill: "There's going to have to be an awful lot of arm twisting to hold them in line."

At his last estimate, O'Neill calculated that some 50 of the 188 Republicans were leaning toward impeachment, a solid start toward gaining the kind of bipartisan support that the House leadership has been hoping to achieve should impeachment seem warranted. Holding these and winning over others may well depend as much upon how the evi-

dence is handled by the Democrats as the evidence itself. And O'Neill, as he well knows, cannot afford to make a mistake in the days ahead. Privately, he believes that in the end the process will not run full course, that at some point Nixon will "step aside for the good of country." But perhaps, barring new evidence, only when the President recognizes that the process otherwise will indeed run its full course.

The day of Gerald Ford's swearing in as Vice President, O'Neill was stopped by a friend in mid-dash to the ceremony. Asked why the urgency O'Neill replied: "This is a historic event. The founding fathers never had this in mind. You may not see it happen again—for four or five months."

AN APPLE THAT FELL NEAR THE TREE

Politics positively saturates the life of Tip O'Neill's family. His five children—ranging in age from 22 to 30—can remember running for the swimming pool as youngsters and shouting "Last one in is a Republican!"

Growing up in a solidly Irish-American district of North Cambridge, O'Neill developed a fiercely partisan love for Democratic politics. His stern, teetotaling father, the son of a bricklayer who came over from County Cork, was a local political power. For 35 years he was head of the city's water system, with 1,700 men on his payroll and access to hundreds of other jobs. When O'Neill was a boy, torchlight parades still surged through the narrow streets of Cambridge, and candidates shouted their speeches on street corners. In 1928, already a veteran campaign worker at the age of 15, O'Neill hustled out trustworthy Democratic voters in a losing effort to elect Al Smith President.

O'Neill attended Roman Catholic schools. He was a casual student and, though he kept getting elected captain of his teams, an awkward athlete. Even so, local lore has it that he got his nickname as a young boy from one James Edward O'Neill, who batted an eye-popping .492 for the old St. Louis Browns in 1887. Those were the days when bases on balls were counted as hits in players' averages, and O'Neill was renowned for "tipping" off so many pitches that hurlers eventually walked him.

O'Neill tried Boston College for a year, dropped out to drive a truck, finally returned, and was a 22-year-old senior when he ran for the Cambridge city council. Before doing so, he announced his intention to his father, who had once served on the council. "The apple doesn't fall far from the tree," replied the elder O'Neill, not at all displeased.

Tip lost by 150 votes, but learned an invaluable lesson. On election day, Mrs. Elizabeth O'Brien, an elocution teacher who lived across the street, told him, "Tom, I'm going to vote for you even though you didn't ask me." Surprised, O'Neill replied: "Mrs. O'Brien, I've lived across the street from you for 18 years. I shoveled your snow. I didn't think I had to ask you."

"Tom," said Mrs. O'Brien, "I want you to know something—people like to be asked."

Since then, O'Neill has been carefully asking people for their votes, and he has yet to lose another race. He was 23 when he was elected to the Massachusetts legislature and 36 when he became speaker of the house, the youngest at that time in the state's history. O'Neill used the full power of his office between 1949 and 1952 to ram through the state's "Little New Deal" of social legislation. During key votes, he was known to lock the doors, as he puts it, "to keep a fella from taking a walk."

In 1952, O'Neill was elected to Congress as Representative from the polyglot district that now embraces Boston's fashionable Beacon Hill, 36 colleges and universities, as well as the working-class neighborhoods of Cambridge, where his real power lies. His predecessor in the seat was John F. Kennedy, who

moved to the Senate that year. When O'Neill went down to Washington, he made sure that his roots remained firmly planted in Cambridge. His wife Millie and their five children stayed at home in their modest house on Russell Street, just four doors away from the two-family house where he was raised.

O'Neill used to commute weekly to Cambridge from Washington, going up on Thursday night and returning on the Monday night sleeper. The family loved to linger over dinner, arguing politics for hours. Listening to his children, O'Neill began to have doubts about his hawkish party-line stand on Viet Nam. He did some quiet checking in Washington, found some top officials who had private doubts, and became a dove in 1967—one of the first top Democrats of his stature in the House to break with Lyndon Johnson on the war. "Tip," said Johnson, "I never thought you'd do this to me." Fearful that his district would turn on him, O'Neill sold his position so effectively that the G.O.P. did not even bother to run a candidate against him in 1968, or since.

His eldest son, Thomas P. O'Neill III, 29, is finding things a bit more difficult. Running for his father's old seat in the state legislature in 1972, he quickly encountered the sly machinations of the Boston political jungle. His opponents found two other Thomas O'Neills to run against him, leaving it up to the voters to figure out which of the three was Tip's boy. They figured it out and sent Tip's son to the statehouse.

As a Washington "bachelor," the elder O'Neill has roomed for 21 years in Northwest Washington with Congressman Edward Boland from Springfield, Mass. They make an odd couple: Boland is the neat one, patiently tidying up their three-room apartment after O'Neill has rumbled it.

Usually there is nothing but a few oranges and some cans of Fresca in the refrigerator. O'Neill is constantly struggling with his weight, which has soared to 296 lbs., then dropped to 208, climbed to 286, then fallen to 215 before rising again. "I've lost a thousand pounds in my life," he estimates. In 1968 O'Neill joined a Weight Watchers group, the only man among some 50 women who had no idea who he was but applauded him warmly when the director announced: "Tom lost 16 lbs. last week."

A church-going Catholic, O'Neill is a moderate social drinker who plays golf for recreation, contentedly shooting in the upper 90s. Instead of joining a fashionable suburban country club, O'Neill slips away to a public course, pays his \$1.60 and waits for a threesome to come along that needs a fourth.

With impeachment on his calendar, O'Neill wonders how long it will be before he gets to spend time with his family at their vacation house on Cape Cod. But he usually makes it back to Cambridge on weekends, and the voters come past to ask for favors as they always have. As always, Tip tries to comply. As a state legislator during the Depression, he often got as many as 250 men snow-shoveling jobs at \$3 or \$4 a day; as a Congressman, he was able to find 3,000 youngsters Christmas jobs at the Boston post office—before the nonpolitical Postal Service was created. "I run a public-service agency," he says.

And very effectively, at that. The voters wait patiently for him for three or four hours, and when their turns come, they usually start out by saying "I'm so-and-so's brother-in-law." Or "I'm this fellow's grandson." Or "I'm somebody's nephew." Listening and remembering, Tip O'Neill can usually tie them into the intricate web of friendships and contacts he has built up over the years. This solid political base is the source he will need for the paramount event of his political life: the drive to push the impeachment proceedings through to resolution, one way or the other.

THE NEED FOR CORRECTIVE POSTAL SAFETY LEGISLATION

HON. CHARLES H. WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 1974

Mr. CHARLES H. WILSON of California. Mr. Speaker, the Subcommittee on Postal Facilities, Mail and Labor Management of the House Post Office and Civil Service Committee, which I have the honor to chair, is very deeply interested in the safety of employees of the U.S. Postal Service.

On May 24, 1973, our subcommittee held a hearing to determine if the Postal Service had an ongoing safety program, if such program was effective, and if neither of these proved true—what the Postal Service was doing to establish a viable safety program.

Subsequently, I directed my subcommittee staff to tour facilities at Secaucus and Kearney, N.J.; Cincinnati, Ohio; and Memphis, Tenn., to determine the effectiveness of the preferential and bulk mail systems with special concern for the safety program being implemented at these facilities by postal management.

Additionally, my subcommittee held a series of oversight hearings in the Western Region of the U.S. Postal Service during the August recess in San Francisco and Los Angeles, Calif.; Hilo and Honolulu, Hawaii; and Denver, Colo., on the Postal Service's operations.

We, of course, received a considerable amount of testimony on the Postal Service's employee safety and health program, including the conditions in the postal facilities in these cities.

Our hearing in May, the subcommittee staff investigative tour, and our oversight hearings held during the August recess, lead to an undeniable conclusion that the Postal Service does not have an adequate employee safety program.

We found that there is only one full-time safety postal officer for every 80 postal facilities—or, in other words, 1 safety officer for every 1,500 postal employees. This means that one safety officer could not inspect a postal facility more often than every 4 months.

We found that the frequency of accidents with injury throughout the Federal service in fiscal year 1972 was 6.5 per million man-hours, while in the Postal Service it was a "shocking" 13 per million man-hours. Further statistics quoted at the hearing compare the U.S. Postal Service rate of 13 per million man-hours, with 3.6 for the steel industry, 4.18 for textiles, 4.8 for machine products, 1.4 for auto, and 7.1 for shipbuilding.

There was, it seemed, a very incurious attitude about safety in the Postal Service by the postal managers, and whenever there was a need to reduce expenses for budgetary reasons, the postal employees safety program was the first to be cut.

Most of the facilities that we toured were a jungle of safety hazards, assuring serious injury to the postal employees.

We also found that postal workers, union leaders and postal supervisors, felt

that working conditions were poor and that top management refused to establish and fund an adequate safety program.

The U.S. Congress finding that the number and severity of work-related injuries resulting in human suffering and economical loss rose dramatically in recent years, passed the Occupational Safety and Health Act of 1970. The main purpose of this act is to enforce safety and health standards in private industry. Also, section 19 of this act requires the administrators of each Federal agency to establish their own health and safety programs based on OSHA standards.

While the USPS is a Federal entity, USPS claims that they are not subject to section 19 of the Occupational Safety and Health Act. They state that it is not necessary for them to come under the act since they have established their own adequate safety program. As I indicated earlier, this is not the case. The Postal Service does not have a viable safety program.

It is my feeling that the service should—at the very least—mirror the provisions of the OSHA Act. It is hypocrisy of the worst kind to have the Federal Government demanding that private industry conform to OSHA, while one of its largest agencies is not meeting the same high safety standards.

I am, therefore, introducing today legislation which will bring the U.S. Postal Service under section 19 of the Occupational Safety and Health Act of 1970. Obviously, this will force the Postal Service to develop, promote, and adequately fund a viable safety and health program.

THE 56TH ANNIVERSARY OF THE PROCLAMATION OF INDEPENDENCE BY THE UKRAINIAN NATIONAL REPUBLIC

HON. ROBERT N. GIAIMO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 1974

Mr. GIAIMO. Mr. Speaker, I wish to join my colleagues in commemorating the 56th anniversary of the Proclamation of Independence by the Ukrainian National Republic. This is an occasion that should be noted carefully by all who love freedom. The tragic history of the short-lived Ukrainian republic emphasizes dramatically that independence requires a continuing struggle against the forces of tyranny and repression.

For more than 3 years, the Ukrainians battled valiantly against a numerically superior Soviet army to preserve their newly established republic. Finally, however, they were overwhelmed in 1921, and their independent government was replaced by a puppet regime. Since then, the Ukrainians have been the victims of the cruelest kind of domination and repression.

Despite this brutal persecution, the Ukrainians have held tenaciously to their aspirations for human rights and independence for their homeland. For those

Ukrainians and their descendants, some of whom have been fortunate enough to emigrate to this country, the ideal of liberty remains firmly implanted in their minds and hearts.

I hope the day will come soon when nations can determine their own destiny and people will not be subjected to brutal tyranny. Until then, we must not forget the struggle of the Ukrainians to regain the freedom they proclaimed so proudly 56 years ago.

BETTY ASBURY, A GIRL OF GOLDEN DEEDS

HON. ROBERT L. LEGGETT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 1974

Mr. LEGGETT. Mr. Speaker, several years ago, I took the occasion to publicly commend the golden deeds of Betty Asbury of Fairfield, Calif., in the CONGRESSIONAL RECORD. Betty, a star reporter for the *Valejo Times Herald* and an organizer for political, religious, and civic efforts, extraordinary, succumbed during the recent holidays to a lingering illness.

I talked politics with my friend Betty in the hospital a few days before her death—her concern was that this country get reorganized. She did her part, and her many friendships will be her perpetual memorial.

One of her press colleagues, Dolores Skinner, describes Betty as follows:

[From the *Vallejo News-Chronicle*, Jan. 2, 1974]

BETTY WAS JUST SPECIAL
(By Dolores Skinner)

VACAVILLE.—We are all diminished by her passing the minister said and as I glanced around the room, I thought perhaps the word devastated might be a better choice because with the passing of Betty Asbury, this part of the world won't be quite the same.

She fought a valiant fight and went on fighting longer than anyone hoped she could but the enemy was just too formidable for her to conquer.

This lady, great of spirit and body, was loved as she loved and she loved everyone, no matter what their race or creed, they were her friends. And they were all there to pay their final tribute to her, this beautiful human being whom I have had the privilege of knowing for about 10 years.

Now don't misunderstand me, this gal was no plaster of paris saint, she was the everyday garden variety of saint who always had time for everyone's problems and who always had time to try and find a solution.

Although she was a hard working gal who earned every bit of money she had, she could always find something for someone in need. And it was this goodness and lack of consideration for her own problems, and the time she needed to solve them, that usually got her in hot water.

When you work for a newspaper there are deadlines to be met and editors aren't exactly the most patient fellows (or gals) if those deadlines are not met. This has to be, I know, because there's a bit of the procrastinator in all of us but with Betty there was always someone knocking on her door with an immediate problem which needed to be solved.

In her concern to help others, deadlines would slip by or stories wouldn't appear and she sometimes drove her editors straight up the wall. She loved her work and was very good at it but just couldn't say no to a plea for help. Because of this, and the fact that her office was in her home where all knew the door was always open, she worked at night and on weekends, many times to make up for her constant interruptions.

It was just two years ago that the Exchange Club of Fairfield honored her as the recipient of their "Book Of Golden Deeds" award and that night was the greatest outpouring of love for another person that I have ever witnessed.

The great and the small were there as well as those of different races and the room where the dinner was held was almost too small as over 300 persons crowded in to pay tribute to this most deserving lady.

There were wires and gifts from such well known political figures as Rep. Robert Leggett, U.S. Sen. John Tunney, U.S. Sen. Alan Cranston and Assemblyman John Dunlap, to name just a few. There were members of the Board of Supervisors and other important names and faces, many whom Betty had personally worked very hard to help elect, there were relatives and a very large number of good friends; members of a variety of organizations of which she was an active, hard working member; and many, many more who knew personally what a great benefactor this warm, wonderful person was. There were flowers, plaques and other gifts, too numerous to list.

Person after person mounted the platform as everyone wanted equal time for their outpouring of love for this wonderful lady and many of these same persons were present to pay tribute to Betty, Saturday.

She had had great difficulty trying to work as her illness progressed but she tried to hang on, she loved her work and didn't want to give up. Finally, however, she had to retire, as it was often impossible for her to work. A newspaper job is an extremely demanding one. So she made her decision to retire and we wanted to have a party for her. We planned a backyard barbecue (her favorite kind of party) and staff members, not working that evening, were looking forward to attending. The party was canceled, however, when she was hospitalized the day before.

A small number of us, with whom she had worked, had to be content with honoring her at a small luncheon.

We all tried hard not to mourn, Saturday, knowing it was better for her that the long battle was over but when someone like Betty has touched your life it's hard not to remember and be selfish and want her to remain.

It has often been said that only the good die young, and at 65 Betty was still young, especially at heart. She knew what love was all about and she never failed to open her heart and arms to anyone in need—of love or anything else.

We'll all miss her but her legacy of love and goodness will remain in the hundreds of lives that she touched.

LADY WRESTLER FROM SOUTH TEXAS

HON. E de LA GARZA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 1974

Mr. DE LA GARZA. Mr. Speaker, I have said it before and I will say it again: south Texas has everything.

As a case in point, I give you Susan Green, lady wrestler supreme from Alice, Tex., in the 15th Congressional District.

At age 20, "Big Tex," as she is known in professional wrestling circles, has a 3-year start on her career. Her story was told by Sarah Shults in the Alice Echo-Star, and I pass it on here for the edification, and no doubt envy, of my colleagues:

LADY WRESTLER FROM SOUTH TEXAS

(By Sarah Shults)

One Thursday night about 14 years ago a little girl went to her first wrestling match with her father—and she liked it.

The next Thursday night found her back again—and the next—and the next—and each Thursday from then until the little girl had grown into a young lady in high school.

Susan Green—lady wrestler.

Her familiar six ft. one inch frame clad in a patriotic red, white and blue outfit (including the boots) is becoming a familiar sight in wrestling rings across the country. Three or four matches a week with some of the top lady wrestlers in the profession is reason enough for this and the fact that she is one of the youngest wrestlers to make the top ten and to have shot up as high as the number two spot at times.

Susan's youth also makes it surprising that she and her five ft. one in. tag partner, a veteran wrestler of five years, were able to capture and hold the tag team world belt for a year. The loss of the belt was due to a twisted knee sustained by the smaller partner.

Susan's career in wrestling was inevitable with her combined great love of the sport, athletic competitiveness and her tall frame. As a result, at 20-years of age Susan already has a three year start on her career and a two year standing among the top ten of her sport.

Susan, the daughter of Mr. and Mrs. R. M. Green of 814 Glenwood, has been visiting her hometown during the holidays but will take off again this week for a wrestling tour that will take her across the country and keep her away from home until next Christmas.

Susan's actual training started in the summer of 1970 before her senior year. Floyd Emerson, a former wrestler who handles wrestling matches in Corpus Christi, was her trainer.

Susan's senior year brought her the first matches of her career. The very first ironically fell on her 17th birthday. Confidence wasn't one of her assets at the time so she lost her first eight matches trying to build some up.

Fourteen matches were all Susan squeezed in that year due to an injured shoulder which temporarily put her out of commission. That injury was only a forerunner to the sprained ankles and wrists, slight concussion, "busted lips," and knees that have been pulled out of socket which were to greet her in her chosen profession.

"Big Tex," as Susan has come to be known, admits that the injuries and continual loss of hair with each match are not among wrestling's more appealing attractions but they are outweighed, in her opinion, by the challenge of the profession and by a number of "fringe benefits."

Travelling, for instance, is a key part of Susan's life now. Already she has travelled across the country through every state except Minnesota and North and South Dakota. Her travels, with matches all along the way, also include Hawaii, Puerto Rico, Canada (from coast to coast) and a two week trip to Hong Kong.

For transportation Susan either uses her car or when she's in a hurry she flies. Most of the time this lady wrestler travels by herself

unless she has a tag partner. Either way wrestling tours have given Susan the chance to see a lot of country she might not otherwise have seen.

Besides travelling Susan also enjoys the fact that her profession has enabled her to meet many famous television and movie celebrities and recording artists. Through her landlord (of her apartment in South Carolina) who used to be a country-western music promoter she has met artists such as Jerry Lee Lewis, Merle Haggard and Lynn Anderson.

In the back room after a wrestling match it's not uncommon for people like Rose Marie or Elvis Presley, wrestling enthusiasts, to come back for a little chat. Some, such as Elvis Presley, take enough interest to invite them to their home. Susan recalls that she even got to go swimming in the Presley swimming pool.

Currently rated number five out of some 500 lady wrestlers, "Big Tex" is the first to admit that female wrestling does have its hazards. Long fingernails can be filed to a fine point and prove to be quite dangerous—Susan has the scars to prove it.

Women in wrestling also have to watch out for long hair. Susan explained that a quick jerk of the head will whip long hair around and in doing so can very easily scratch the opponent's eye, an injury which is quite painful.

Ratings and how they're affected are a big concern with people in Susan's profession. Only the top 10 and sometimes 20 are rated. To reach the ratings and stay there means constantly arranging matches with the top wrestlers. Wins are important but they don't count very much, if any, towards a good rating if the loser is a newcomer.

According to the Alice wrestler some of the top matches and most numerous are found around Boston, New York and San Francisco, depending on the time of year. When she leaves Alice this week she'll head for New York where wrestling attention is being focused on Madison Square Garden.

Like most people Susan has a very definite dream she would like to see come true some day. She would like to open up her own wrestling school for girls in Alice.

To do this Susan feels like it would be necessary for her to win and hold the world's belt for women's wrestling for a definite period of time. She explained that this type of accreditation would be essential if the school were to attain any measure of success.

L. HOLLANDER & CO. OF YOUNGSTOWN, OHIO—A FULL-FOOD SERVICE ORGANIZATION

HON. CHARLES J. CARNEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 1974

Mr. CARNEY of Ohio. Mr. Speaker, L. Hollander & Co. is a successful food service business which caters to hotels, restaurants, schools, clubs, and other institutions in the Youngstown area.

Recently, L. Hollander & Co. sponsored a Food Show Exposition, Impact '74, to kickoff a new and vigorous effort to re-educate the food industry so that it can meet the challenges of 1974 and beyond.

L. Hollander & Co. realizes that "if you're not part of the solution, then you're part of the problem," and that everyone must cooperate and work together to solve the problems created by

the energy crisis, shortages, and inflation.

Mr. Speaker, I would like to take this opportunity to heartily commend the management and employees of L. Hollander & Co. for their public-spirited attitude. In addition, I insert an explanation of "The Impact Philosophy," the proclamation issued by the Mayor of Youngstown, and a brief history of L. Hollander & Co. in the RECORD at this time:

THE IMPACT PHILOSOPHY

Impact '74 is more than a Food Show Exposition. It's a natural progression in the fifty-year growth of L. Hollander and Company, as we rapidly become a full-food service organization.

Impact '74 is also a natural outgrowth of 1973... rising costs, shortages, the energy crisis, governmental controls, allocations and strikes. To make this next year one of growth, everyone will be called upon to work together to achieve common and individual goals. Service will have to be everyone's byword.

Purveyors and manufacturers will have to introduce new and better products.

Forecasting will have to become more important than ever before. It's going to be the responsibility of every business to forecast their needs over longer periods of time. This is going to require re-education and a great deal of study on everyone's part. But guaranteed... growth will be dependent upon it. The lowering of speed limits on our Nation's highways, and the general delays in receiving and delivering raw materials is basically responsible... and are all results of the current energy crisis. We are all involved. But the consumer needn't feel the full brunt of it, if we all act responsibly.

Everything points to continued rising prices. However, we anticipate a leveling off about spring. Maintaining a solid inventory position will be of prime importance.

Everything seems to be coming into play. Even the trucking industry is in a very poor condition. It will be adversely affected by the shortage of diesel fuel and government allocations. To protect against delays in shipping, customers will have to give purveyors as much advance notice as possible, maintain a large inventory position, review purchasing patterns, and consolidate as much buying as possible... anticipate needs to overcome minimum orders and higher transportation costs.

In total, 1974 is going to call upon us all to revise our patterns of doing business. The market is changing. The needs of people and groups are more diversified than ever. Each of us must learn not only to cope, but to change our pattern of business in such a way that all groups will benefit. If we sincerely wish... 1974 can be a very good year.

PROCLAMATION

Whereas: the Food Service Industry is so closely tied to the average consumer; and Whereas, the Food Service Industry has been so adversely affected by current market and energy limitations; and

Whereas, companies such as L. Hollander and Company of Youngstown, Ohio, are attempting to re-educate the industry so they might be equal to the challenge of the existing shortages and transportation difficulties; and

Whereas, a food show exposition, IMPACT '74, is being held on January 22, 1974, in Youngstown, Ohio, sponsored by L. Hollander and Company, to accomplish these objectives. Therefore, I am proclaiming the week of January 20 through January 26, 1974, as "Food Service Week" in Youngstown, Ohio, in recognition of their valuable services to the citizenry of our community.

In witness whereof, I hereunto set my hand and cause the Seal of the City of

Youngstown, to be affixed this 18th day of January, 1974.

BRIEF HISTORY OF L. HOLLANDER & CO.

Impact '74 is more than a Food Show Exposition. It's only the beginning. Impact is a natural progression in the Fifty Year growth of L. Hollander and Company, as we rapidly become a full-food service organization.

Impact '74 is also a way we can be of service in meeting your problems as expeditiously and profitably as possible. Meeting them in such a way that the many stumbling blocks, such as rising prices, delays in receiving and delivering products, the energy crisis, governmental control and allocation, etc., don't become limitations in themselves.

As we institute our total concept Impact philosophy, we urge you to rely upon L. Hollander and Company. It's our firm goal in '74 to help you become more successful. And we can... through new and existing products. Through helping you forecast your needs over longer periods of time. Through introducing labor-saving devices and ideas.

By helping you eliminate waste in your kitchen. Portion control. Quality control. And by aiding you in instituting the most profitable and expedient fast food products and methods. Through innovation, such as the Entree System of full-course dinners.

L. Hollander and Company has always been the "Idea" Organization. Now, more than ever, you can look to us to help you make a real impact in 1974. Your best year yet!

For two generations, L. Hollander and Company has been an outstanding leader in the industry. Its growth has been by leaps and bounds... and today, its 20,000 square foot physical plant is one of the most modern processing facilities in the United States.

Nothing has characterized the spectacular growth of L. Hollander and Company as much as service. This, combined with a truly superior product, has pleased customers in the tri-state marketing area for half-a-century. So much so, that clients are dependent upon Hollanders as they are upon few other suppliers. It's product. Service. Experience. And a very special "We Care About You" Policy... and that's more than a theme or slogan. At Hollander's, it's a way of life.

Indeed, L. Hollander and Company is a full-food service organization... specialists in fulfilling the needs of the food service industry in the tri-state area. Hollanders offer an extraordinary large variety of portion and quality-controlled fresh, frozen and pre-cooked foods, all under rigid government inspection. And Hollanders is big enough to handle the largest client... small enough to give truly personal, individualized attention.

From their fleet of eight refrigerated trucks to professionally trained sales specialists, Hollanders consistently stands above the crowd. A 24-hour service policy enables a client to depend totally upon L. Hollander and Company. It's a very special way of doing everything right... the first time around, that makes Hollanders the company it is today. It's a desire to achieve perfection. To be of service. And L. Hollander and Company would like the opportunity to be of service to you.

REPRESENTATIVE PAUL G. ROGERS PRAISED FOR HEALTH CARE LEGISLATION

HON. JAMES F. HASTINGS

OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 1974

Mr. HASTINGS. Mr. Speaker, the December 1973 issue of the Journal for

Podiatric Education contains an article on Representative PAUL G. ROGERS, of Florida, chairman of the House Subcommittee on Public Health and Environment, extolling his work in health care. As a member of the subcommittee, I can well attest to his leadership in this field and at this time I am including the article in the RECORD:

Paul G. Rogers, now serving his third year as Chairman of the House Public Health and Environment Subcommittee, has become nationally recognized as an innovative and hardworking leader in the health field.

Virtually every major law in the areas of environment and health bears Rogers' mark. Roughly speaking, his panel has legislative jurisdiction over all health matters except Medicare and Medicaid, and all environmental legislation except water pollution.

Rogers is the youngest Subcommittee chairman of the powerful House Interstate and Foreign Commerce Committee.

His work in the health manpower field has been exceptional. Many aspects of the health manpower acts of 1968 and 1971 were the result of Rogers' intense interest. Additionally, he has fought hard to increase the funding of schools of the health professions, and has pressed the appropriations committees to increase funding in this field.

His staff is now at work drafting the 1974 Comprehensive Health Manpower Training Act for introduction early in 1974 (the life of the 1971 Act terminates on June 30, 1974).

One of Rogers' chief goals is to give health a national priority. "A great deal of attention has been given to welfare and education, and this is understandable. Changes are needed. But this attention has been at the expense of health. Health funding has suffered greatly. And there is a bitter irony here," Rogers has said.

"Health is the most common denominator of all. For both the rich and the poor are at the mercy of ill health. And the educated as well as the uneducated are affected by poor health. With a proper priority on health we can do so much more to insure that all Americans live better lives."

One of the first things Congressman Rogers says must be done is to establish a separate Department of Health. His bill to do this was supported by one-quarter of the Senate and more than 60 members of the House when he introduced it earlier this year.

"We need to let the American people know that they can have better health, and at a lower cost," Rogers said. "If the public knows this, health could have the most effective constituency in the nation."

The National Cancer Act in 1971 and the National Heart and Lung Act in 1972 were two of the more prominent pieces of health legislation to bear the Rogers name. He was the House author of the 1970 Clean Air Act and has since produced laws designed to limit noise pollution and find solutions to the growing problem of solid waste.

Rogers' keen interest in conservation and environment is also carried over into his work as a member of the Merchant Marine and Fisheries Committee, where he was a sponsor of the National Environmental Policy Act. Rogers also authored the National Sea Grant College Act which is the flagship of this nation's efforts in the field of oceanography.

Described as "Mr. Health" by his colleagues because of his knowledge and activity in the field of health, Paul Rogers either has authored or been the prime sponsor of more than a dozen pieces of legislation which were signed into law during the 92nd Congress alone.

Publicity on the environment and Rogers' efforts to raise health to public awareness place his legislative position dead center on two of the most pressing issues of the day.

Yet his personality and method of operation are low key and may be described best in a profile done by the New England Hospital Assembly:

"In a Congress where the Senate big names often get the credit in front, it's frequently the House's little known mechanics who do the real work. And Paul Rogers is a chief mechanic."

His outstanding work in health legislation has resulted in the following awards and honorary degrees:

Doctor of Laws from George Washington University;

Doctor of Laws from Florida Atlantic University;

Doctor of Laws from the University of Maryland;

Doctor of Laws from the University of Miami;

Doctor of Humanities from Nova University; and

Doctor of Humane Letters from New York Medical College.

Rogers was graduated from the University of Florida Law School after serving with the Army in Europe for four years during World War II. He and his wife, Becky, and daughter, Laing, maintain their residence in West Palm Beach. Rogers is serving his 10th term in Congress, representing the 11th Congressional district in Florida.

TRIBUTE TO HON. H. R. GROSS: ABLE, CONSCIENTIOUS WATCH- DOG OF THE TREASURY

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 1974

Mr. EVINS of Tennessee. Mr. Speaker, it was with sincere regret that I learned recently of the announcement by our genial colleague and friend, the gentleman from Iowa, Representative H. R. Gross, that he plans to retire from the House at the conclusion of the 93d Congress.

Certainly he will be missed because of his unfailing diligence, his devotion to his responsibilities in the House, and his faithful and loyal service to his district, State and Nation.

He has been called the "super-watchdog" of the House because of his careful scrutiny and examination of each bill reported to the House for debate and consideration.

He carefully analyzes authorization and appropriations bills and pinpoints areas where he feels economies can and should be effected.

H. R. Gross and I came to Congress at about the same time. He was first elected to the 81st Congress. I have great respect for my friend, the gentleman from Iowa—he is a champion of the public interest and guardian of the public purpose, the U.S. Treasury, against bureaucratic waste and excesses. His contributions have been immense.

While Congressman Gross is noted principally for his diligence in offering amendments to cut out waste and extravagances throughout the Government, and serving as a "watchdog" for the Congress, he is also a genial, personable, and likable gentleman who is universally admired and respected. He has

served a needed and useful role in the Congress and his work and presence will be missed.

I personally congratulate our colleague and friend, H. R. Gross, and wish him good luck, good health, and happiness in his retirement.

In this connection, Paul Duke, commentator for the National Broadcasting Co., recently made some very commendatory remarks concerning the gentleman from Iowa on the Today show—and because of the interest of my colleagues and the American people, I place in the Record herewith the commentary by Mr. Duke.

His comments follow:

COMMENTS BY PAUL DUKE

Harold Royce Gross is one of the last of the great gadflies. He also is one of the last of the big-time savers—a man who hates to spend federal money almost as much as most people hate to go to war.

Gross is a small, droopy-eyed man who has been on Capitol Hill for 26 years fighting waste and extravagance. He has voted against almost all spending bills except those to help his rural Iowa district. He once voted against a bill to make Winston Churchill an honorary American citizen because it didn't require Churchill to help retire the federal debt which, said Gross, he helped us accumulate during World War II.

Gross also has been a fierce foe of Congressional junkets. Even though a member of the House Foreign Affairs Committee, he has never once traveled overseas. When the House Public Works Committee went flying off to look at the highways of Spain not long ago, he suggested they really wanted to go to the bullfights.

Few things get by Gross, who's the super-watchdog of the House. He's one of the few members on the floor every day, hour after hour, taking in everything that's happening. He reads, line by line, every bill that comes to the floor questioning, probing, sniping, at his colleagues, using his acid tongue to try to shoot down the most innocent-looking bills.

He has lost far more times than he's won, but occasionally has uncovered some not-so-innocent skulduggery. Such as a measure a few years ago to put up federal funds to design a special flag for members of Congress. Just as the bill was about to slip thru, Gross discovered it was meant to accommodate a Congressman who wanted to fly the flag on his cabin cruiser.

Not surprisingly, some of his colleagues have regarded Gross as an obstructionist pest. Ohio Democrat Wayne Hays, a maverick himself, once tried to put down Gross for benefitting from a pay raise bill he had fought.

It reminded him of what Frederick the Great once said of Austria's Maria Theresa—said Hays—she weeps but she takes her share.

But as usual Gross had the last word, asking Hays if Maria Theresa was one of the queens the gentleman had met on one of his many junkets to Europe.

AIRLINE ANALYSTS BAR PRESS AT REQUEST OF CAB

HON. DAVID R. OBEY

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 1974

Mr. OBEY. Mr. Speaker, Thursday's Wall Street Journal discloses that at the request of a Civil Aeronautics Board of-

ficial, a Journal reporter was excluded yesterday when the official and a CAB colleague addressed a room full of airlines security analysts in New York on the industry's current woes. All they discussed in his absence were "CAB policies, philosophies, and the status of pending cases in a variety of areas, including fuel shortages, fare increases, joint capacity-control agreements, subsidies, route swaps, and so on."

As the story notes, the closed-door session goes against the trend toward openness being encouraged by the Securities and Exchange Commission. It also reminds me that last November 20, just 10 days before a 5-percent fare boost was to take effect, the CAB announced that because the airlines were going to have to make do with 10 percent less fuel than they had planned to use, it would give them "sufficient leeway" to coordinate service cutbacks so that the resulting disruption would be minimized.

The CAB assured us it would keep close watch over any agreements the airlines made and "act as an impartial arbitrator of the competing needs of passengers, shippers, communities, and the Postal Service regarding the relative level of service provided."

While anticipating that airline get-togethers normally would take place only after notice was given, the CAB went on to recognize an occasional need for "less formal" carrier consultations—"by phone, telegram, or otherwise."

The CAB then ventured to suggest that "the interests of the public can be adequately protected, despite such informal consultations," through a system of "full reporting" to the Board what was discussed, and laid down some guidelines, including this:

Reductions in non-stop service below one daily round-trip non-stop flight will not be approved except in extenuating circumstances.

However, on November 30, the Washington Post reported that CAB Chairman Robert D. Timm, speaking in Houston, said it now seemed likely that airlines will have to stop serving some cities as the only way to cut fuel consumption to target levels. And he was quoted as warning that the CAB lacks the authority to "protect and guarantee an essential national air system during this time of crisis."

I am beginning to believe that the only thing the CAB is capable of protecting is its own penchant for secrecy and the chumminess of the airlines it is supposed to be regulating.

Here is the Wall Street Journal story: AIRLINE ANALYSTS BAR PRESS FROM MEETING AT REQUEST OF CAB—JOURNAL REPORTER IS EXCLUDED FROM A CROWDED DISCUSSION OF CURRENT INDUSTRY WOES

(By Todd E. Fandell)

NEW YORK.—Publicly owned companies and securities analyst groups, with occasional prodding from the Securities and Exchange Commission, have been slowly edging away in recent years from the practice of holding closed meetings to discuss corporate affairs. The object is to eliminate the possibility of disclosure to a select group of significant information that isn't available to the public.

But news of the trend away from such secret sessions apparently hasn't yet reached some other federal regulatory agencies. At

least, it would seem, the word hasn't gotten to the Civil Aeronautics Board, which oversees operations of the nation's airlines.

Two key CAB officials—Robert J. Sherer, director of the Bureau of Economics, and William B. Caldwell Jr., director of the Bureau of Operating Rights—yesterday addressed a roomful of airline securities analysts in New York. They discussed CAB policies, philosophies and the status of pending cases in a variety of areas, including fuel shortages, fare increases, joint capacity-control agreements, subsidies, route swaps and so on.

Most of the topics were matters that affect the current economics of airline operations, and presumably, could potentially affect the market values of airline securities.

REPORTER BARRED

At Mr. Sherer's request, however, a Wall Street Journal reporter wasn't allowed to attend, even though the analyst group involved had previously indicated his presence would be permitted. The group regularly permits such attendance by the Journal at its meetings with companies.

A CAB spokesman said the final decision to bar the press from the meeting had been left by Mr. Sherer to the analysts. But he conceded Mr. Sherer had told the group he would object to the presence of a reporter and wouldn't feel free with a reporter present to discuss certain matters in the way he wanted to talk about them.

"There are certain things that are better discussed without the press present," the spokesman said. He cited as examples the use of certain figures that aren't "releasable" to the public and possible discussions of confidential information from individual carriers that could be competitively damaging if known to other carriers. He didn't explain why it would be okay to discuss such information with a couple dozen Wall Street analysts, most of whom are in frequent contact with each U.S. airline.

SPOKESMAN APOLOGIZES

A spokesman for the airline analysts expressed surprise at Mr. Sherer's request and apologized for the development. He said "nothing really newsworthy" was discussed during the "informal" session.

From analysts in attendance it was learned that the two officials, among other things, said the CAB staff strongly opposes the grant of any subsidy payments to Eastern Airlines, a prospect the carrier had raised. They also said the board may withdraw the blanket authority recently given airlines to discuss mutual capacity cutbacks and schedule reductions because of the fuel supply situation.

One analyst said he received the impression it would be mid-February at the earliest before the CAB would rule on airline requests for a new domestic fare increase to cover rising fuel prices.

THE ECOPOLITICS OF OIL

HON. ROBERT L. LEGGETT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 1974

Mr. LEGGETT. Mr. Speaker, in reducing our current energy problems to their simplest terms, one reaches the inescapable conclusion that the industrialized world simply requires more oil than it has; conversely, some portions of the rest of the world, most notably the Arab States, have more oil than they can use. In times past, a free market world economy provided the solution to this problem in a very straightforward way; that

is, we would buy what oil we needed by selling our manufactured and agricultural goods. That system is not working now. The price of oil has reached a level where we can no longer sell enough to afford our needs. But more important than that, \$20-a-barrel oil will, in a short time, bankrupt every Western currency and the world monetary system with them.

The problem is not insoluble, nor must we engage in hysterical histrionics to get to its roots. It touches only peripherally on Arab-Israeli politics, and I would hope that the Arabs with whom we are dealing are too sophisticated to turn the entire world on its ear over oil price avarice. A recent article in the *Saturday Review*/World by Mr. Richard C. Longworth provides an analysis of the possibilities we face. Though I question some of the statistics, I commend the article to the Members' attention, and ask that it be printed in the *RECORD* at this point.

The article follows:

THE ECOPOLITICS OF OIL

(By Richard C. Longworth)

When the governors of the International Monetary Fund met in Nairobi, Kenya, last fall to debate the world's new monetary system, they gave relatively little thought to the impact of the oil crisis on that system. The ministers and bankers were not blind to the problems an energy crisis could cause; rather, nearly everyone thought the new system would be in place by 1975, presumably before the crisis would hit. A Libyan delegate warned that the oil nations would oppose any restriction on their right to pile up huge monetary reserves, but few money men heard him. Most were playing hooky among the lions and zebras in Nairobi's game park, and the Kenyatta Conference Center was three-fourths empty.

Now, a half-year later, the crisis is nearly upon us and holds huge potential for upsetting the reformed monetary system before it even goes into effect. The crisis, it should be stressed, is not a matter of the short-term shortages caused this winter by the Arab embargo on oil shipments to America and by the cuts in production for Europe and Japan, both aimed at putting pressure on Israel. The long-term problem has nothing to do with Israel and probably would persist even if Israel were to vanish. It is the squeeze over the next ten to fifteen years caused by the probable refusal of the oil nations, Arab and non-Arab, to produce as much oil as the industrial nations need. The oil producers' logic is impeccable: First, they cannot begin to spend the money they would get by supplying all the world's needs, and, second, oil is their only source of income and should be conserved to guarantee a prosperous future. They threaten no cutback in present production. Rather, they say they are unlikely to double that production—which is what an oil-thirsty world will need to keep going.

Much has been written already on the effect an oil drought could have on life in the West—the death of air conditioning, for instance, or night baseball or the private car. Just as imminent are wrenching changes in America's role in the world—e.g., injury to the American-European-Japanese economy and the impending breakup (already begun) of NATO, on which U.S. policy has been based since 1941. Responsible men are even suggesting that the United States may go to war to secure the oil it needs to live.

Of that, more later. For a glimpse into the future, it is necessary to begin, as the crisis itself began, with money.

James E. Akins, the new U.S. ambassador to Saudi Arabia, early last year wrote that the Arab nations and Iran must produce 48.5

million barrels of oil per day by 1980 to satisfy the growing Western economies. That is more than double the 23.8 million barrels that those nations drilled per day in 1972. Akins predicted five dollars per barrel as the probable average 1980 price. From that, he calculated that these arid, underpopulated nations would earn a staggering \$210 billion between now and then, included \$63 billion in 1980 alone. The *Financial Times* of London noted that income on this scale "could enable countries like Saudi Arabia to buy companies the size of Exxon or Shell at the rate of one a year without feeling the pinch."

Two things, both surmised by Ambassador Akins, have happened in the brief year since his predictions appeared. First, the Arabs warned that they have no intention of raising production that much. For most of them, the unspent surplus funds would bring more trouble than good. And oil left in the ground is a fine hedge against inflation. That would cause a Western oil drought, of course, but it would bring our 1980 oil bill down, were it not for the second event—the Arabs' unilateral scrapping of price-setting negotiations with oil companies. From now on, the Arabs intend to set prices themselves at whatever level the market will bear. The five-dollar figure that Akins forecast for 1980 is already outdated. Sheikh Ahmed Zaki al-Yamani, the Harvard-educated oil minister of Saudi Arabia, has said his country could cut output by 80 percent and survive because "a barrel of crude oil . . . could be sold for fifteen or twenty dollars."

Worried bankers see a peril to the world monetary system in that high Arab oil income. For one thing, only a few nations, such as Iran and Iraq, will spend all their income on development. The rest, with fewer people and problems, will run up a surplus of \$40 billion to \$110 billion—maybe more—by 1980. So much money simply cannot help causing trouble: Last year's money crisis began with the speculative shift, in a much smaller amount, of the homeless U.S. Eurodollars overseas. Yet can that much money be usefully spent in such a short time? Can it be invested abroad without creating dangerous social and political pressures—an "Arab challenge" dwarfing the "American challenge" that so exercises Europeans? Is there a Faisal in our future?

If the money would cause trouble on arrival in the oil nations, it would do equal damage on its way out of America, Japan, and Europe.

Monetary reform has been postponed, and world currencies have been allowed to float until the badly skewed payments balances of the major nations—particularly the huge U.S. deficits—can be put right. At year's end that objective was in sight. The U.S. trade balance had moved suddenly into surplus. Agreement on the major elements of reform seemed likely by last summer. Oil has threatened all that.

By 1980 the United States may be sending \$20 billion or more abroad each year to pay for oil. Europe's energy deficit could be even higher—some \$25 billion—and Japan's, \$15 billion. Outflows of that size not only would upset any payments balances but also would undercut a key reform—the punishment of nations with big and persistent deficits or surpluses. In that situation, can Europe and Japan, and probably America, avoid deficits? And can the unavoidable surpluses of the oil nations realistically be penalized? That Libyan delegate in Nairobi said no.

It is idle to hope, moreover, that the Arabs could resist the temptation to play the money markets. Most evidence indicates that they suffered by staying out of last year's money speculation. They are unlikely to abstain a second time.

Finally, the new monetary system will be based on an artificial currency called the backed by a mélange of the more muscular Special Drawing Right. This SDR will be

currencies—gold plus the dollar, pound, yen, deutsche mark. But a nation's currency is only as strong as its economy. If the oil crisis damages Western economies, it also will damage their currencies. What good, then, will the SDR be? Or monetary reform itself, for that matter?

No sober and sophisticated Arab economist—and there are many—wants that. Oil will be sold, after all, for Western currencies. If these currencies collapse, so will Arab income. But the economics of the oil game has assumed a mad momentum of its own.

In an article I wrote for this magazine last year, I called the oil crisis the "joker in the deck" of transatlantic relations, because it would force the allies—already at odds over so many issues—to face the Middle East together or fall out in a competitive scramble for scarce oil reserves. That joker has been played, much sooner than expected, with the sharp U.S.-European division over the Arab oil boycott that began in October. The United States went one way, in continued support of Israel. The Common Market countries went the other, issuing a statement that, for the first time, put Europe on the Arab side. That statement was an error, because it forfeited Europe's bargaining chips—economic and political—in the first hand of the game. Holland signed the statement, but the Arabs boycotted the Dutch anyway, to punish them for pro-Israel statements during the Yom Kippur war. The other eight EEC nations, in a display of coordinated cowardice reminiscent of Munich, refused to support Holland for fear that the Arabs would boycott them, too. The affair afforded the spectacle of eight allies helping the Arabs enforce a boycott against a ninth—a sorry start for the "foreign policy" that Europe hopes to build.

The episode was the first in what will become a series of challenges to Western unity. From it, the Arabs already have learned that this unity hardly exists. They now know that Europe, at least, will pawn its foreign policy for oil. They have seen that a nation's support of Israel decreases as its dependence on Arab oil grows. Europe gets 72 percent of its oil from the Arabs; the United States gets 11 percent. Who can blame the Arabs for thinking that if U.S. oil imports rise as fast as expected, Washington might see new merit in the Arab case? And why, therefore, should they compromise?

That situation stems, of course, from the Arab-Israeli war. For the long-term crisis, prospects for allied cooperation are not much better. The United States made a belated move toward a truly cooperative policy when Henry Kissinger proposed an "energy action group," uniting America, Europe, and Japan in a common attack on the crisis. Kissinger offered a "very major financial and intellectual contribution" from the United States and said the oil-producing states could join in, too. But the Europeans, fearful of being tarred by Washington's pro-Israel brush, are wary. France, in particular, opposes any all-European approach to Washington, because it believes (erroneously) that its good relations with Arab countries give it boycottproof supplies.

The Sixth Fleet in the Mediterranean is said to have fuel problems because the Arabs told Italy to cut off the fleet's oil. The logical extension of that squeeze is an end to the American presence in Europe. If the Arabs order West Germany to stop the sending of oil supplies to U.S. forces based there and Germany acquiesces, Congress will certainly have the soldiers on the next plane home.

In those testy circumstances, how can the West and the world get through the next decade with minimum damage to economies, currencies, and foreign relations? A few governments seem certain. Western governments must take the place of the independent oil companies in negotiations with the oil nations about prices and out-

put. The oil business is too important to be left to the oil firms, which have become tax collectors and lobbyists for the Arabs, offering little protection to the consumer. The Common Market would like to turn Europe's oil firms into glorified public utilities. That trend probably will grow.

Another casualty will be the philosophy of waste expounded by President Nixon when he said: "There are only seven percent of the people of the world living in the United States, and we use thirty percent of all the energy. That isn't bad. That is good. That means we are the richest, strongest people in the world, and that we have the highest standard of living in the world. That is why we need so much energy, and may it always be that way." In fact, Americans use so much energy because they waste half of it. The average American uses two-and-a-half times as much energy as does the average European to support a standard of living only marginally higher. If China alone consumed energy with the per capita profligacy that Americans display, it would use up every watt, gallon, and BTU in the world.

Beyond that, many long-range policies have been proposed. U.S. oil expert Walter J. Levy has urged the United States, with its relatively small dependence on Arab oil, to protect its allies against extreme shortages. In return Japan and Europe must "forego the temptation of looking only at their immediate self-interest." If that much trust can be built—and, on present evidence, the possibility is doubtful—the industrial nations, Levy says, could "avoid bidding against each other or being played against each other with ever-escalating political and economic demands being made upon them." A "countervailing power" to the oil-producing nations would emerge, and "the extraordinary political, strategic, and economic power of the Atlantic-Japanese group of nations" would restore balance of the oil picture.

Yet "Long-Term Projections of Political and Military Power," an authoritative study compiled for the U.S. Navy by a Princeton team, doubts the allies can find enough unity to make such pressure effective. It also discounts economic pressures, because the Arabs need nothing so badly as we need the oil. Nor, it adds dryly, "in view of their past experience with Western powers, would they be especially susceptible to moral and political arguments."

Some Westerners still see the Arab as an unlettered desert warrior, swapping his camels for Cadillacs as the oil gushes in. But the warrior's sons are in charge now. They have been to Harvard and Wharton and would rather invest in computers than Caddies.

A Western cartel for negotiating with the Arabs or for allocating supplies will probably be necessary. But unity must be assured in advance, since the Arabs say they would use a boycott to break up any "hostile" cartel. Everyone agrees on the need to develop nuclear and solar energy. In the long run, those plus coal will provide the answer. But only the White House believes they will be functioning effectively by 1980.

King Faisal appears to worry less about Israel (except for Jerusalem) than about Mideastern rivalries involving Saudi Arabia, Iran, Iraq, Kuwait, the two Yemens, and the seven sheikhdoms in the United Arab Emirates. The country that armed Faisal against these threats, as we have begun to do, might cash his gratitude in for oil. That could be an effective policy despite the moral and practical objections, not the least of which is that it is playing with fire.

But for all our futures, the best strategy is cooperation. The oil nations do need Western technology, finance, political support, and imports, and they will pay in oil to get them. An example is the recent deal between Germany and Iran, with Bonn getting oil and

Tehran getting two steel mills, a refinery, and a petrochemical plant.

The wise use of such long-term cooperation could, if we are lucky, produce the best answer of all—international commodity agreements ensuring a steady oil supply to the benefit of both producer and consumer. Joseph Yager of the Brookings Institution urges the formation of an "international oil organization . . . stabilizing the production and marketing of oil." Both Arabia's Sheikh Yamani and Iran's Jahangir Amuzegar suggest that the oil nations invest their immense profits in refineries, pipelines, and other energy projects that the industrialized nations, by themselves, will be hard pressed to finance.

But before that can happen, the Arabs must realize they can gain nothing by playing the Western allies off against each other, by tying politics to oil, by imposing leapfrog price demands, and by cutting output to drought levels—whether out of self-interest or to fulfill the threat by Libya's Qaddafi to "ruin your industries." That realization, in turn, will not happen so long as Japan, America, and Europe undercut each other for every drop of Arab oil. In a world of "Nixon shockk" and aborted "years of Europe," that unity is elusive. But on that issue, at least, the allies' interests are identical.

The alternative to cooperation has been clearly stated. British strategist Neville Brown warns that the West "may face the choice of capitulating or going in physically to get the oil." Sen. J. William Fulbright says Washington may "come to the conclusion that military action is required to secure the oil resources of the Middle East, to secure our exposed jugular." Sheikh Yamani says the Arabs would blow up their oil fields if that happened. But the study for the U.S. Navy says the Western powers, if they "became very desperate," could marshal overwhelming military strength.

These men are no warmongers. Brown says an invasion of Arabs "is a possibility that I quite frankly regard as horrendous." Yet the possibility exists. Skeptical? Ask yourself this: Would the Western nations accept—should they accept—an oil-supply situation that undermines their currencies, economies, foreign policies, alliances, and standards of living? If the search for alternatives begins now, that question need never be asked.

H.R. 11955

HON. STEVEN D. SYMMS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 1974

Mr. SYMMS. Mr. Speaker, the House Agriculture Committee will conclude hearings this week on legislation that would pose a great danger to the productivity of American farmlands. This bill could make a shambles of American farming. Mr. Speaker, I believe this bill is so bad it could ultimately be responsible for so disrupting our farm system, that the present energy crisis will look like a picnic beside it. I am referring to H.R. 11955, the Commodity Futures Trading Act of 1974. I urge my fellow Members to be aware of the dangers of this bill, for it has been the futures market that has provided financing and liquidity for much of American agriculture. Under "disorderly trading" or "emergency" conditions, the Government would have carte blanche authority over

the industry. The criteria laid down in the bill for "emergency" conditions already exist, and could justify an immediate takeover of futures markets.

In addition to the emergency provisions, the legislation establishes a five man Commodity Futures Trading Commission within the Department of Agriculture. Even in the absence of disorderly trading or emergency conditions, this Commission will exercise nearly complete control over commodity futures traded in the United States.

Section 215 describes the circumstances under which the Commission could justify seizing control of the futures industry:

Whenever it has reason to believe that the amount of deliverable supplies, the number of open contracts, the relative size of individual traders' positions, the amount and direction of price movements in cash and futures markets, the impact of government edicts and regulations . . . the other such market factor creates a condition which threatens orderly trading.

The Commission itself will decide when the number of open contracts is correct, when the individual traders positions are balanced, whether cash and futures prices are moving in the right direction. There are no objective criteria for determining these conditions, so the Commission's subjective interpretation will determine when it has the right and duty to intervene.

The Commission may also direct markets in "market emergencies." Market emergencies are defined as: "Significant intervention of foreign governments in the futures market, war or other national emergency, price controls, export embargoes, or any other significant disruption of normal commercial processes which can reasonably be deemed to affect futures transactions."

Price controls have existed for years, and tragically, are likely to continue indefinitely. This "emergency" condition will be a fact of everyday life in the United States for some time to come. The moment the Commission is voted into existence, it will have immediate justification for assuring direction of the commodity futures industry.

As if these criteria were not sufficiently all-embracing, note that the Commission will also have power to direct the industry whenever "any other such market factor creates a condition which threatens orderly trading." Authority to decide when orderly trading stops and disorderly trading starts will again remain in the hands of the Commission, for there are no objective criteria written into the bill.

Once the Commission decides to intervene, it can move against the industry virtually without restraint. The Commission is specifically granted the powers to extend the expiration date of futures contracts, extend the time for making deliveries in fulfillment of a futures contract, limit trading to liquidation, and to suspend trading.

But the unspecified powers are still more menacing. The bill says that "such actions may include, but are not limited to" any of the above. We are left to guess what other actions the Commission may

take. It can do whatever it sees fit, whenever it sees fit.

Widescale injunctive powers are vested in the Commission. It can halt the transactions of any market or person who "has engaged, is engaging, or is about to engage" in any act constituting a violation of the law. This power of preventive injunction appears unconstitutional on the face of it. Legislation aimed at preventing, rather than punishing an action, has within it all the problems inherent in conspiracy and preventive detention laws. It is a particularly ominous threat against the right to conduct business.

Injunctions will also be issued when an individual or market is in a position "to effectuate a squeeze or corner or otherwise restrain trading." Here there need be no suspicion of intended wrongdoing. The mere possession of the power to do wrong potentially will suffice to justify an injunction. This power to enjoin even in the absence of suspicion of dishonest intention may be unprecedented power for a regulatory body. The power is compounded by the failure of the legislation to stipulate what is meant by the phrases "squeeze, corner, or otherwise restrain trading." Perhaps it is not surprising that the legislation does not define these contingencies, for as yet economists cannot agree on what they mean.

A witness at recent House Agriculture Committee hearings foresaw a situation involving a difference of opinion between the trader and the new Commissioners. The trader's information, analysis, and understanding of the supply and demand situation may be superior to the Commissioners. The injunction might be granted anyway, and the trader stopped, only to be judged innocent later. How will the trader then be compensated for his losses? This witness remarked,

For commodity markets, the power to enjoin is the power to destroy.

All contract markets will need Commission licensure. To obtain it, each must prove it served an "economic purpose," otherwise the license can be denied. Market transactions are said to have "economic purpose" when they serve the function of hedging producers, merchants, or consumers against loss through price fluctuations. These are broad, subjective standards, and it will be the Commission who decides them, not the customers whom the markets serves.

I recently encountered a dismaying illustration of how the Commission might interpret its power to deny licensure. While talking to a high-ranking CEA official, one of my staff members was told that all currently regulated futures markets served an "economic purpose." Which of the currently unregulated markets might be liquidated for lack of economic purpose?

This official mused:

It's hard to see how futures trading in silver coins serves an economic purpose.

There are others who might not share this official's viewpoint on silver coin speculation. They might feel that silver coin futures serve as a hedge against in-

flation, which surely is an "economic purpose."

The Commission will put limitations on brokers and floor traders buying for their own accounts as well as for their customers'. This provision is not necessary to keep brokers honest—market considerations are much more forceful—and its only affect will be to hurt the liquidity of the futures market.

If a broker cheats his customer in trading, he only hurts his own economic self-interest. His reputation would be swiftly known, and his customers would find a new broker. A broker's conflict of interests is infrequently a problem.

In cases where a problem does arise, the contract markets already have their own internal disciplinary procedures.

This is not to suggest that the Government has no part to play in an honest commodity futures markets. As a first step, Congress and the Department of Agriculture must insure that Government information is available to each buyer and seller on an equal basis. Charges that "inside information" was made available to selected firms in the Russian wheat deal have hurt the futures market, and doubtless these rumors have played a large part in the demand for more regulation. Even if these allegations are true, the answer is not to shackle the market, but to demand fair business practices from the Government.

The thinking behind the bill displays a lack of understanding of the mechanisms of futures trading, and particularly the importance of speculators to the smooth functioning of the market. Speculators stand between the producer who wants the highest price for his product and the consumer who wants the lowest price for the product. The speculator provides liquidity to the marketplace, and he levels the many peaks and valleys that would otherwise occur in the price structure. The speculator generally takes the position opposite the hedger and performs the function of the insurer. He guarantees a certain price on a market fraught with uncertainties for the seller. Contrary to popular mythology, the speculator makes the market more predictable, not less predictable for buyers and sellers.

Speculators serve other market functions. By operating on extremely small profit margins, they are willing to realize small profits by buying and selling within fractions of a cent. Many of these speculators also act as brokers trading for their customers' accounts. They can flow with the volume of trading. When volume is heavy, floor traders act as brokers. When volume declines, they trade for their own accounts.

If the hedger wants to sell, it is this speculator who will buy. All this would be lost if the bill puts limitations on their activities.

Many floor traders and brokers depend on the additional income which they gain from their private transactions; if this revenue were not available to them, they would have to leave the field, thus reducing the liquidity they now bring to the market.

The speculator must put up margins before he buys. By doing so, he provides

the futures market on which he buys with interest-free financing. This financing will be lost as well.

The new Commission will determine the location and number of delivery points of commodities. The framers of the bill do not seem to realize that standardized delivery points are crucial in futures trading. What delivered in Chicago, Ill., is more valuable than wheat delivered in Des Moines, Iowa. When the Commission sets delivery points on its own discretion, the futures buyer will not be able to anticipate if he is buying wheat in Chicago or in Des Moines. Traders will not be able to estimate the value of the contracts. This provision alone could destroy futures trading.

This provision seems to be based on the false premise that futures are a mechanism for merchandising grain. They are not. They are a substitute for a cash contract and provide buyers and sellers with specific economic benefits—such as shifting the risk of ownership of inventory and forward pricing. Frederic G. Uhlmann, chairman of the Chicago Board of Trade, believes the delivery privilege is an assurance that delivery is available in case the cash buyer or seller cannot make his own contractual arrangements. If a buyer has to take delivery at a point where it is disadvantageous for him to ship the grain, the futures contract breaks down, in Uhlmann's opinion.

The futures system developed under a system where buyer and seller were free to carry out mutually beneficial and voluntary transactions. It has served the farmer, the merchandiser, and the consumer superbly well. The freedom that made it the remarkable success it is will soon be lost, unless the futures industry exerts enormous pressure to halt this legislation.

VOLUNTEER PHYSICIANS FOR VIETNAM

HON. THOMAS E. MORGAN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 1974

Mr. MORGAN. Mr. Speaker, in conjunction with my remarks on the Volunteer Physicians for Vietnam program, I believe that the following article from the Journal of the American Medical Association of August 6, 1973, which describes that program in detail, will be of interest to my colleagues:

VPVP PROGRAM TERMINATED

The Volunteer Physicians for Vietnam (VPVP) program, which was initiated as Project Vietnam in 1965, was terminated on June 30, 1973. As of July 1, 1966, the program had been the responsibility of the American Medical Association, which renamed it "Volunteer Physicians for Vietnam." During the eight-year period of operation, a total of 774 physicians from the United States served 1,029 two-month tours in provincial hospitals in South Vietnam under this program. One hundred thirty-six physician-volunteers, 17.7 percent of the total, returned to Vietnam to serve more than one tour of duty. Since the inception of the program in 1965, these American physicians

have contributed in excess of 150 man-years of voluntary service to the civilian population of that war-torn Southeast Asian country.

Operations in Vietnam are scheduled for complete termination at the end of the fiscal year 1973; the last physician-volunteer, however, departed from Saigon on June 30.

The impact of the program on the health situation in South Vietnam was great. AMA volunteers supplied a high percentage of the total modern and sophisticated medical care for the population. The volunteer program was also a politically stabilizing factor because it reflected the interest and the involvement of the American people.

Now that the main hostilities have stopped, some of the Vietnamese military physicians are returning to civilian posts. A joint utilization program has been set up by the Armed Forces Medical Services and the Ministry of Health of South Vietnam to cover the gap created by the departure of American volunteers.

An important part of the VPVP program has been its educational aspect. In many places and in many hospitals American volunteer physicians were able to introduce the modern methods of the Western world and, in some cases, were able to provide continuous medical education for their Vietnamese colleagues. But most important, the American volunteers have disseminated knowledge by means of teaching programs set up for the Vietnamese medical auxiliaries working under the supervision of American volunteers.

The National Order of Physicians of South Vietnam and the civilian governmental authorities were appreciative of the services of American physicians and cooperated completely in the programs of medical care delivery and in the continuous medical education programs set up by the volunteers.

The director of the VPVP program, Charles H. Moseley, MD, reports that there was no difficulty in finding American physicians willing to volunteer for service in South Vietnam. Physicians were attracted by the publicity given the program. Some were influenced by the impressions transmitted by the returning volunteers, and some were moved by the knowledge of the general health situation in the civilian population in South Vietnam. Still others were drawn by the exhibits prepared and staffed by Dr. Moseley's team at numerous medical meetings and conventions.

Probably the most important factor in the program's success was the motivation of the American volunteer physician. American physicians showed great idealism and willingness to sacrifice their own comforts and gains in order to alleviate the suffering of the people in a war-stricken, faraway country. Since many of the physicians came from Christian medical societies, it indicates that religious beliefs may also have had a deciding influence. Many of the physicians were, no doubt, curious to see the exotic diseases which are rarely seen in the Western world and were desirous of gaining additional experience in emergency or tropical medicine. The willingness to serve as volunteers also indicated the patriotic mood of many who felt that the population of South Vietnam was being unjustly attacked by the Communist forces and wanted to demonstrate that the people of the United States were willing to back up the fight of the South Vietnamese.

All of the volunteer physicians were screened by the office of the program before they were sent overseas. This screening was strict and delved into the moral and ethical backgrounds of the applicants. Of all the volunteers who went to South Vietnam, about 70 percent were members of the AMA. The majority came from the states of California, New York, and Texas; however, states such as Montana and the Canal Zone pro-

vided the largest number of volunteers, 5 percent of all physicians residing in these areas.

The different cultural background and French schooling of most of the South Vietnamese physicians did not interfere with establishing a good rapport with their American colleague-helpers. An especially good rapport was created between the American volunteer physicians and the South Vietnamese auxiliary medical and hospital personnel.

The continuous medical education programs set up at numerous district hospitals in cooperation with the civilian health authorities of South Vietnam, the Army Medical Services, and the physicians from the civilian population were quite effective and produced an impact almost as great as the direct diagnostic and therapeutic services of the volunteers. These continuous medical education programs, however, were completely different and independent from any work done at the medical schools, which were also aided by the American effort, but through a different program and by a different team of personnel.

A fairly well-balanced team was always kept in Vietnam at all times during the program's existence. The volunteers came from various specialty fields. Family and general practice was represented in the highest numbers, but sufficient numbers of physicians came from the specialties of pediatrics, internal medicine, general surgery, orthopedic surgery, obstetrics and gynecology, urology, anesthesiology, ophthalmology, otorhinolaryngology, pathology, physical medicine and rehabilitation, preventive medicine, psychiatry, neurology, and radiology.

The appreciation of the South Vietnamese people was clearly demonstrated in May when the Vietnam Council on Foreign Relations presented its Meritorious Service Award (a plaque and a medal) to the American Medical Association for the exceptional and outstanding contributions made to Vietnam through the humanitarian and voluntary services of American physicians. The presentation was made to Dr. Moseley, who accepted the award on behalf of the AMA, by Mr. Tran Van Lam, Foreign Minister of South Vietnam and president of the Vietnam Council on Foreign Relations. During the recent Annual Convention in New York, Dr. Moseley transmitted the award to the President of the AMA, Charles A. Hoffman, MD. The presentation took place during the American Physicians for Vietnam reunion luncheon which was attended by a great number of former volunteers and by the members of the Board of Trustees and the House of Delegates of the AMA.

Individual Meritorious Service Awards were also presented by the Foreign Minister to Dr. Moseley, AMA Project Director, to program Field Director, John V. Connolly, MD, and to his Administrative Assistant, Mr. Fred T. Ratchford.

The program has ended but the pleasant, comforting shadow it has cast over the country of South Vietnam will be long remembered. The American volunteers have gained an honorable place in the history of the unfortunate war-torn country of South Vietnam and in the hearts of its people.

JIM RICHARDSON, VALLEJO IS HIS MONUMENT

HON. ROBERT L. LEGGETT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 1974

Mr. LEGGETT. Mr. Speaker, to describe the late Jim Richardson of Vallejo

as dynamic is an understatement—he was action personified. In a manner of speaking, Vallejo is Jim Richardson. Jim not only managed the building of 10,000 public housing units during World War II, that critically assisted our defense effort in the bay area, but he managed the housing area with distinction during the postwar years. Not content to perpetuate substandard housing, he officiated at the dismemberment and relocation of nearly 40,000 people in the late 1950's. He accepted there a new challenge—the reorganization and redevelopment of the old city of Vallejo. This was a hard job. Jim generated the enthusiasm, prethought the Government red tape, negotiated virtually every condemnation and rebuilding. Today the citizenry of Vallejo enjoys a modern downtown, a new Federal post office, a new library, new apartments, stores, a yacht harbor, fishing pier, and a beautiful waterfront.

Washington recognized Jim's excellence and appointed him director of Housing and Urban Renewal for the 11 Western States. In this latter job, Jim performed miracles for other communities all over the West. He even served a short tour before his retirement working on housing and redevelopment in the trust territories.

A few days before Christmas, Jim knew his time was coming. He had always planned everything for everybody else, and his last rites were going to be written by nobody else.

He asked me to "hold one of the handles at the appropriate time." I agreed and I did.

Jim Richardson of Vallejo has Vallejo as his memorial—a humble creative plumber who had a fine sense and ability to make government work for people.

The Vallejo Times Herald editorialized as follows:

A GREAT LOSS FOR VALLEJO

A long and distinguished public career which spanned 31 years and touched the lives of at least 500,000 persons during and after World War II came to an end recently with the death of James D. Richardson, the "father" of Vallejo housing for almost 26 years.

While most of his life was spent in Vallejo as a housing official and redevelopment director, his passing is felt keenly by all Vallejoans and throughout the nine-county Bay Area. Until his retirement in June, Richardson was the assistant regional administrator for renewal assistance with the U.S. Department of Housing and Urban Development in San Francisco.

Although Richardson had spent most of his public life in the Bay Area, in 1972 he was assigned to Saipan where he was regional management officer to the Trust Territories in the Pacific. His area included the Marianas, the Marshalls and the Carolines which embraced more than 2,000 islands, some three million square miles and 102,500 persons.

But it was in Vallejo where he gained the respect and admiration of all those with whom he worked and was associated with. For his many accomplishments, he was described as a "man among men . . . a leader who stood above the crowd . . . and one who could get things done quickly and efficiently."

It was not all work with Richardson, however. He took time out for youth work and

was recognized nationally for his efforts in behalf of the Camp Fire Girls, the Boy Scouts of America and the youth of Vallejo. The Richardson Pool in the old Floyd Terrace area was named in his honor for outstanding achievements for the young.

Richardson began his career in Vallejo in 1938 when he became active in labor affairs. He was president of the Solano Building Trades Council and later secretary for the Labor Temple Association. And when the Vallejo Housing Authority was formed in 1942, Richardson was appointed to the original board as commissioner.

In 1944, he became superintendent of maintenance for the Housing Authority and then in 1946, he succeeded the late Maurice J. Wilsie as the authority's executive director. Ten years later when the Vallejo Redevelopment Agency was formed, Richardson became its first executive director and kept that post until joining HUD in San Francisco.

While with the Vallejo Housing Authority, Richardson managed the equivalent of 10 small cities with a population of 40,000 persons and never had to evict a single family, a record of which he was proud.

While he was with the Urban Renewal project, Richardson created his lasting tribute when, under his directions, a slum area was transferred into the glittering oasis of malls, parks, patios, land-scaping and lighting now known as Marina Vista.

Richardson's inspiring leadership will be missed throughout the Bay Area and particularly in Vallejo, but the work he left behind certainly will perpetuate his memory to all those who knew and loved him.

ROGERS, ARK., CITIZEN WRITES THE PRESIDENT

HON. JOHN P. HAMMERSCHMIDT

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 1974

Mr. HAMMERSCHMIDT. Mr. Speaker, the House Judiciary Committee is initiating its investigation into the serious question of impeachment of the President of the United States. In reaction to the events in recent months relating to the Watergate situation and the 1972 Presidential campaign, citizens throughout the country are voicing their views to urge support for President Nixon, to ask for his impeachment, to request the President's resignation, or to convey dismay over what they construe as a media attack on the administration.

It is therefore timely that I share with my colleagues a news article written by the executive editor of the Rogers, Ark., Daily News. This article relates the story of a naturalized American citizen who, in 1933, chose America as his home and whose loyalty to his Nation motivated him to write the President and take steps to assure that the letter reached him.

After receiving President Nixon's reply, Charles A. Sanchez reached a conclusion which, hopefully, all Americans can share: We owe the President our loyalty until such time the due process of law guaranteed to all citizens is applied and any guilt is proven or disproven.

The article follows:

[From the Rogers (Ark.) Daily News, Dec. 20, 1973]

ROGERS CITIZEN WRITES PRESIDENT AND RECEIVES REPLY (By Jerry Hiett)

Throughout the past few weeks a growing movement has been seen across the country, in which groups and individuals have been expressing the need for a re-evaluation of criticism of President Richard Nixon.

A Rogers man did more than most of the persons in this group.

He decided to let the President know his feelings. Not only did he take the time to write President Nixon a letter, expressing his feelings, he also took steps to make sure the letter "reached the President."

The President did receive the letter and not only read it, but personally answered it.

When asked why he wrote to the President, Charles A. Sanchez of Rt. 6, Rogers answered by saying there were several things that forced him to step forward and make his feelings known.

Part of the reason, Sanchez explained, was "due to the time I spent watching every possible minute of the Watergate (hearings), from the time it started until it finished on television."

"After seeing the proceedings, which to say the least, in my mind were more of a trial than a hearing, I felt that I would be remiss of my duties if I didn't let the President know that not all persons felt as did others—about his guilt or innocence," Sanchez said.

"And," Sanchez continued, it was "due possibly to my legal background I acquired from law school."

He pointed out that he is a graduate of law school, although he never went into the practice of law.

"In regard to my training in law school," he pointed out, "anyone knows a man is presumed innocent until he is proven guilty. By all means I think this should include the President."

"I have seen no charges filed by the House of Representatives, who are the only ones who can impeach our President," he went on.

"And impeachment means," Sanchez stated, "not running him out of office, but rather seeing if there are enough charges that can be proved to try him in the Senate."

"Nothing like that has been done," Sanchez said. "If the case against the President is so strong, then I am asking the question, 'Why has it taken 18 months to do so?'"

One of the main reasons Sanchez took the action, as he pointed out, was "due to the fact that I am, as I stated in the letter, an immigrant and having received so many good things of this world in this country, I am more appreciative of what I am thankful for."

Sanchez pointed out that he came to the United States from the Middle East.

"I was born in Algiers, Africa, which is the hub of the present Middle-East crisis now," he said.

"When we came to this country, things were about as low as they could be all over the world," Sanchez said. "I can say that my father was working for 15 cents a day at the time."

Speaking of his father, Sanchez said, "Still he saw nothing but good and a wonderful future here."

"Possibly, as I said before," Sanchez added, "having not had them in the past, I appreciate these rights we have acquired here and the opportunities that we didn't have before."

Although he admits that he wasn't very mature at the time he arrives in this country, he still realized the difference between this country and the one that he had left.

"I chose this country," Sanchez emphasized. "I could have been a Frenchman, an Algerian, I could have been an American, I chose America."

"So, I feel that this is one reason I am a little more uptight than the average individual."

Sanchez pointed out that there is basis to believe that the incident could be more than just innocent heckling of the President.

"I really think, as I pointed out in the letter, that there is a conspiracy," he stated. "I don't know just how to put my finger on it, but I think there is a definite conspiracy in this country."

"I recall, back a few years ago, that Khrushchev made the statement that he would bury us. He did not say that he would attack us, he said he would bury us," Sanchez said.

He quickly pointed out that he was not trying to throw a red herring out or anything like that, but went on to say, "I think that there are forces, part of them being in minority groups, part being people who have no love for their country—for this country at least and people who would like to see this country go down the drain."

Sanchez said that during the Second World War he served in the Office of Strategic Services which was a counter-espionage group to fight this kind of activity, and believes those years in this service give him an insight into this problem.

"I was offered a job in the CIA after the war," he added.

Although he refused the job, because of his family, Sanchez is still concerned about the problem facing the nation.

From his experience in counter-espionage, Sanchez feels that he learned "that the easiest way to wreck our country is to wreck our leadership, once we have no leaders, then we have no country."

"Possibly the main reason I wrote the letter to the President was to try and let him know that he was not standing alone and that a lot of people didn't prejudge him," Sanchez stated. This, he pointed out, is what the hearings were doing, prejudging him.

The following is the letter Sanchez sent to President Nixon.

"DEAR MR. PRESIDENT.—I was an immigrant, and in 1933 I received both my law degree and citizenship papers as an American citizen. I not only love my country, but appreciate all that it has bestowed upon me. I also accept the responsibilities that honor demands of me. I would be remiss of those responsibilities, first as a Christian, then as an American if I did not personally by this means, convey to you my feelings and convictions concerning recent developments of the past six months.

"It is now obvious to me that your personal and political enemies, segments of Congress, professional dissidents and well-meaning individuals are using events of the past six months as a blanket of allegations and charges by innuendo to form not only a basis to discredit every action you have taken, but to negate the overwhelming mandate of the American people. What the opposition could not do by the ballot box is now being attempted by character assassination and the jury box.

"It is also obvious to me that our concern should be all who have teamed with the dissidents and formed a formidable threat to our freedoms and safety. They are using the same tactics used by Hitler, to undermine our country. The media not only digs up dirt, but disseminates that dirt to obtain their objectives. They also have an individual who modestly admits he is a legal expert and is practicing law without a license. This should be investigated (although I will deny to inform my source of information). Others in the media should be charged with impersonating a human being.

"It is also obvious to me that the law school I attended failed to teach me that when a person rises to the Presidency he waives all rights and privileges afforded any other citizen, and that he must prove his innocence on charges that have never been filed against him. I am very grateful that I cannot be President, for I would not trade the Presidency for the protection I receive through the Constitution and Bill of Rights embodied therein.

"In Luke 19:41 it states that Jesus beheld Jerusalem and wept. Today I would that all Americans behold America and weep. When we permit (as history will certainly note) vicious attacks, lack of respect, lack of fair play and sadly lacking of compassion for a human being who must defend himself because he is not perfect, we have cause to bow our heads and humbly ask for God's forgiveness.

"In closing Mr. President, I call on you and all Americans that are not perfect and are admitted sinners to bow our heads in forgiveness, begging God's forgiveness, and through His grace and mercy give you stamina, courage and solace to carry out but your role of peacemaker. Through all this hatred and ignorance will shine God's love for America. Take heart in the fact that Christ has already paid for our sins through His precious blood on Calvary, and that our future is without blemish, Mr. President, may God bless you and yours.

"Humbly submitted,

"CHARLES A. SANCHEZ.
Postscript: I would appreciate your permission to allow me to challenge the media to give this the coverage they gave to your tormentors."

Knowing that the President receives thousands of letters, Sanchez wanted to be sure that his letter would be read by the President and not just an aide.

Therefore, he decided to go through channels. He went to State Sen. Jim Caldwell, Rogers, and asked him how he could be sure that the President would receive the letter.

"On this basis," Sanchez said "Caldwell took the phone, while I was in his office, and called the White House. He talked to Gerald Warren, the assistant to General Haig."

He asked Warren if he would see to it that the President received the letter, Sanchez recalled.

"On the phone he (Warren) promised Senator Caldwell that he would do so," Sanchez said.

Later Sanchez said, Senator Caldwell informed him that he had spoken with Warren at the governor's conference in Memphis, Tenn., and that he had been told by Warren that he had delivered the letter. A few days later Sanchez received the following letter, not from the secretary or aide, but from President Nixon.

"MR. CHARLES A. SANCHEZ,
Rogers, Ark.

"DEAR MR. SANCHEZ: For anyone who serves in this high office, there is no greater reward than the generous messages of goodwill which come in such large measure from Americans throughout the land. However, your letter of November 2 which Mr. Jim Caldwell forwarded to me, was especially welcome coming as it does from one who has a profound and abiding love of our country.

"I fully understand the concerns you expressed for many of them are ones I also share. As you noted, these have been difficult months and some have even asked that I step down. This is to assure you that I will not walk away from the job I was elected to do. In the time ahead, I am confident that the American people will come to realize that the trust they placed in me has not been violated. In turn, I shall not abandon my pledge

to them nor forsake the goals this Administration was elected to achieve. We are facing several great tests of our national spirit and resourcefulness at home, and for people throughout the world we are on the threshold of building a durable peace for the first time in this century. These are indeed major challenges, but your assurance of support along with the many others I have received in recent days reinforces my own conviction that we can meet them.

"With my gratitude for your prayers and best wishes,

"Sincerely,

"RICHARD NIXON."
Sanchez said that he had no pre-conceived idea of what the President would reply, if he was to reply.

But, he added, he was hoping that he would say just what he said, "That he was not guilty of the wrong-doings he is being accused of and that time would prove that he had not violated the pledge that he had made to the American people."

"Now to say that he did that without making errors would be silly," Sanchez said. "I mean that it would be stupid, there is no one in this world that is perfect."

"I think the least we owe the man is loyalty, up to the point that he is proven guilty of not deserving the right to have us follow him as the leader of this country," Sanchez emphasized.

He went on to say that if charges could be proven against President Nixon that would show that he had committed serious offenses that made him impeachable, "I would be the first to pull the rope."

"Due process is what I want to see happen," he added, "and it hasn't happened in the past 18 months."

Sanchez pointed out that he felt the real criminals are the ones that are calling for the resignation of President Nixon without due process of law, "because they are asking him to violate the thing that he pledged that he would not do—to leave the office unless he was not entitled to that office."

"To force a man to go out of office illegally," Sanchez concluded, "is just as wrong as all the things they are accusing the President of doing."

ENERGY INFORMATION BILL GAINS 57 COSPONSORS

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 1974

Mr. WALDIE. Mr. Speaker, I am extremely gratified today to announce that 59 Members of the House have joined in cosponsorship of legislation which would establish a National Energy Information System.

Testimony before committees of both the House and Senate has shown in a sometimes dramatic but purposeful way that significant Federal energy policy cannot be responsibly enacted without access to all the facts concerning the scope of our energy emergency. The National Emergency Information System which I have proposed would do just that, and I urge the earliest possible hearings on the bill.

As I said on December 13 in introducing this legislation, the Congress and the American people cannot rely solely on the input of the Nation's oil companies to produce this information.

At this time, Mr. Speaker, I am pleased to reintroduce my legislation on behalf of myself and the following 57 cosponsors:

Mr. EDWARDS of California, Mr. HAWKINS, Mr. PODELL, Mr. MITCHELL of Maryland, Mr. BERGLAND, Mr. ROONEY of Pennsylvania, Mr. HELSTOSKI, Mr. ROYBAL, Mr. DENT, Mr. BURKE of Massachusetts, Mr. FORD, Mr. OBEY, Mr. HARRINGTON, Mr. FASCELL, Mr. FULTON, Mr. PEPPER, Ms. ABZUG, Mr. BROWN of California.

Mr. SARBANES, Mr. MOLLOHAN, Mr. BRASCO, Mr. SEIBERLING, Ms. HOLTZMAN, Mr. DRINAN, Mr. ROY, Mr. TIERNAN, Mr. ST GERMAIN, Mr. YATRON, Mr. CHARLES H. WILSON of California, Mr. GUDE, Mr. ADABBO, Mr. CLAY, Mr. CARNEY of Ohio, Mr. DOMINICK V. DANIELS, Mr. BADILLO, Mr. BOLAND, Mr. MAZZOLI, Mr. GREEN of Pennsylvania, Mr. STUDDS.

Mr. ROSENTHAL, Mr. DAVIS of Georgia, Ms. GRASSO, Ms. SCHROEDER, Mr. STARK, Mr. MOAKLEY, Mr. RANDALL, Mr. CONYERS, Mr. LEGGETT, Mr. RODINO, Mr. LEHMAN, Mr. CLARK, Mr. JONES of North Carolina, Mr. REES, Mr. CRONIN, Mr. NEDZI, Mr. GUNTER, Mr. CORMAN, Ms. MINK, and Mr. DANIELSON.

THE NATIONAL CAPITAL TRANSPORTATION ACT OF 1969

HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 1974

Mr. BROYHILL of Virginia. Mr. Speaker, I introduced legislation in Congress today which will amend the National Capital Transportation Act of 1969 to increase the cost-share formula from 66 percent to 80 percent Federal. This will bring the Metropolitan Washington Metro system under the same Federal cost-sharing arrangement, 80 percent Federal, 20 percent non-Federal cost sharing as provided in the Federal Highway Act of 1973. An adjustment in the cost-sharing which I have set forth in this legislation will increase Federal contributions by \$142,896,000 with a corresponding decrease realized in the non-Federal, local share, assuming Metro is to be completed within the \$2,980 billion financial plan. This action will result in helping alleviate the financial difficulties local governments are experiencing in their efforts to raise funds for rapid transit, to cope with the energy crisis, environmental concerns and a likely slow-down in employment. As a specific example of the assist this legislation will provide to the non-Federal cost-sharing participant, northern Virginia's taxpayers have already contributed over \$100 million to the construction of the Metro rapid transit system, but under the new formula, northern Virginia's remaining cost-share for completing the system would be reduced from \$105 million to approximately \$54.6 million.

Mr. Speaker, there are currently 28 miles of the 97.7-mile total system under construction and an additional 35½ miles under design. Along the route, there are 31 stations under construction and

29 more stations under design. This is indeed progress and we must insure that nothing impedes it. Toward this end, I strongly urge enactment of this legislation at the earliest date.

TAKING THE POSITIVE APPROACH

HON. BURT L. TALCOTT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 1974

Mr. TALCOTT. Mr. Speaker, we here in Washington are bombarded daily with so much doom and gloom, so much cynicism and faultfinding that I was thrilled when Robert A. Yothers, the grand exalted ruler of the Elks, spoke out constructively to urge all of us to take the positive approach.

I highly commend him. He will not attract headlines for his approach; but if others in his position of opportunity, responsibility, and leadership would speak out, I believe we could turn around the fashionable attitudes of carping criticism and self-flagellation.

I want every Member and every reader of our CONGRESSIONAL RECORD to know that there are men of prominence who are willing to find something good about our Nation.

I applaud and thank Mr. Yothers for his courage and his approach.

His message is as follows:

TAKING THE POSITIVE APPROACH

(By Robert A. Yothers)

It seems to be fashionable with some people to keep up a running barrage of what might be called "thoughtless carping" against the United States of America . . . from within as well as outside the country. If one were to take literally what we hear so often, one might get the idea that millions of "smart" people would be emigrating to other parts of the world to get away from this terrible country.

Why, is it, then, that millions of people from every country in the world are so anxious to come to the United States, some even giving their lives in the attempt?

It's healthy for us to look at our nation objectively, to recognize our weaknesses and attempt to correct them. On the other hand, when one becomes hypercritical to the point where everything seems to be wrong, it seems fair to say that one's views have become overly distorted to the point where, instead of constructive thought, it becomes destructive carping.

The negative thinker, the constant cynic, can do much to undermine the morale of a family, an organization, a community or even a nation. They've been referred to as the "prophets of gloom and doom," or "the disaster lobby."

Our free enterprise system made this nation the most envied and the wealthiest in the world. One would think that anyone with only a modicum of "horse sense" could see that fact as clearly as he could see the sun on a bright day. Those who live in other countries see it clearly . . . we should take pride in that we have developed the most successful system of government in the history of the world, the most individual affluence for our people, the mightiest industrial complex, the most generous people and government in the world.

Never before in the history of mankind have people accomplished so much, given so much and asked for so little from the rest of the world.

Sure we have problems. So did Adam and Eve and everyone else from then on. And we'll continue to have them. But let's not succumb to unreasonable pessimism brought on by cynics who seem to have tunnel vision. Let's examine our problems with meticulous care, put our best minds and efforts to work finding solutions, meanwhile keeping a sense of perspective, the determination to get the job done, and let's continue to deserve our reputation as the most unselfish, compassionate people on this planet Earth.

NO PIPELINE JOBS AVAILABLE IN ALASKA

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 29, 1974

Mr. YOUNG of Alaska. Mr. Speaker, less than a week ago, the Secretary of the Interior signed and issued the necessary right-of-way permits that will allow construction of the long delayed trans-Alaska pipeline project.

Gripped as we are in an energy crisis that has been made even more critical because of the long delays in building the Alaska pipeline, I am very pleased to see this project about to get underway.

The daily reminders of the energy shortage, the long history of delays, court fights, and final congressional action have spread the story of the Alaska pipeline across the Nation. Say "Alaska" almost anywhere in the United States and the first word that comes to anyone's mind is "pipeline."

But, fortunate as Alaska is to have the largest known reserves of oil in the United States, all the news about the biggest construction job since the pyramids threatens to stretch Alaska's economic fabric to the breaking point with an influx of job seekers the likes of which Alaska has not seen since the gold rush back in 1898.

Quite simply, there are no jobs now, and there will not be for months. Virtually all of those that will be available will be filled by qualified Alaskans, people who are accustomed to working outdoors in the dark of the Alaskan winter when the temperature falls to minus 60 degrees and the winter night lasts as long as 2 months.

A few weeks ago, work on an ice bridge across the Yukon River was halted because it was too warm. Project engineers said they could not build the ice structure so long as a 20-degree-below-zero Arctic "heatwave" continued. They said they needed cooler temperatures, on the order of -40° or -50° for the ice to set properly.

Pipeline job seekers began coming to Alaska as early as last summer, before the congressional legislation that authorized the Secretary to issue the permits was even taken up in a House-Senate conference committee. By August, some welfare agencies in Anchorage had exhausted their budgets for the year, spending in 8 months what had been adequate for 12 in the preceding year.

Community agencies, State agencies, the Salvation Army all have full case-

loads coping with Alaska's already critical unemployment. Last month it reached 11.5 percent, traditionally among the very highest in the Nation.

For months now, Alaska Senator TED STEVENS and I have been doing our best to discourage job seekers from going to Alaska. I have received hundreds of requests by mail, over the phone from all across the country, and in person. Still, hundreds of families are packing their possessions, oftentimes leaving good jobs, and heading north only to find hardship and disappointment.

So, in the interest of presenting the facts as they are, and hopefully sparing Americans from unnecessary hardship and Alaska from even greater unemployment and social strain, I ask unanimous consent to enter three relevant articles into the RECORD.

The first, written by Maureen Blewett of the Anchorage Times, Alaska's largest daily newspaper, describes the tragic experience that is becoming increasingly common for many pipeline job seekers.

The second comes from the Christian Science Monitor; it provides an excellent overview of the developing situation.

The third piece appears in the February issue of the IBEW Journal and is typical of reports from unions in Alaska.

The material follows:

[From the Anchorage Times, Nov. 27, 1973]

FAMILY'S BIG DREAM FIZZLES

(By Maureen Blewett)

The day Dale Nichols crammed his five children and his new television set into a 1952 station wagon and drove past the Phoenix city limits, the word "Anchorage" had one meaning \$1,200 a week on a pipeline job.

In his pocket were \$500 and a letter from his 22-year-old brother in Anchorage describing \$12-an-hour jobs and 18-hour work days, seven days a week.

Ahead of him on the highway were acquaintances who had also heard of almost \$5,000 a month pay and were rushing to hit Alaska before the jobs were gone. And behind him was an \$8-an-hour job as a painter and sandblaster in Phoenix. That job would look good to Nichols before the month was out.

Customs officials at the borders wished the family luck and said they had heard the jobs were good in Anchorage. "I don't blame you for wanting to make good money," one of them told Nichols who was talking of "making good money for my little kids."

But on the highway the station wagon's headlights failed, the tires blew out, the radiator broke, the transmission had to be repaired and the Nichols car became a traveling rummage sale to make money for repairs. They sold their new television set in Moose Lake, Canada; they sold Mrs. Nichols' warm winter coat for \$12 at a truck stop "on the left-hand side" in Glennallen. They traded the 10-year-old boy's new shoes for a can of gas and sold their new TV trays for \$20, half of what they had paid.

Their quilts went for \$5. Their radio, their jackets, even the garbage can were sold to pay for car repairs.

They arrived in Anchorage on a Friday night with \$12.

The last shred of their dream was destroyed when they went to the address which Otis, the 22-year-old brother, had promised to share with them, and found that no one had heard of him. Nichols thinks he must have gone to the North Slope.

Dressed in tee-shirts and cotton dresses, with only three blankets and four sheets, the family of seven tried to sleep in the car

for two nights, then went for help to the Salvation Army and the welfare office.

"The kids hadn't eaten for two days, and oh God, I couldn't stand that," said Pat Collar, the eligibility worker who interviewed Nichols Monday morning. She sent them to her house for food.

Today, two weeks later, they are living in a one-room shack with one bed on which the mother—who is expecting a sixth baby in a month—sleeps with the two youngest children, Tina Lee, and Michelle, 18 months.

The father and the three older children, Johnny Dale, 10, Rocky Lee, 8, and Sue, 6, sleep on the floor.

Over the weekend Fish and the Bartlett Democratic Club brought food and clothing to the family and yesterday Catholic Charities found warm outer clothing for the children.

"This community is simply not prepared for families. There is no housing," says Gwen McAlpin, social worker at the eligibility office which authorized the rent payment and food stamps to the Nichols family.

Nichols is a painter and heavy equipment operator but will settle for any job that "will help me get on my feet again." So will George Reams, who came up here from Spokane, Wash., with four children and plans for making a permanent home in Alaska.

The pipeline offers no hopes to Reams because the myriad of job seekers is taking work away from him. A truck driver with a diploma from a diesel mechanic school, he cannot get a job, according to his wife, because he doesn't have a union book.

"But the teamsters won't take the \$410 for the book unless he can find a permanent job. And how can he get a permanent job without the union book?" she asked.

"All we want is to raise our children in this clean fresh air here."

Meanwhile, the Nichols children, dressed in their new warm jackets, went outside to play in the snow today. They have covered the walls of their one-room shack with crayon pictures of Christmas trees and turkeys, but they all know that their father is right when he says, "My kids will have no Christmas this year."

[From the Christian Science Monitor, Jan. 11, 1974]

ALASKA WARNS WORKERS TO STAY AWAY

ANCHORAGE, ALASKA.—The trans-Alaska pipeline, hailed as a boon for the state, has meant only tears for men and families who have come here so far looking for work.

There isn't any.

Although the huge project will generate perhaps 13,000 high-paying jobs at its peak—probably 1975—almost no work has yet begun. And even if it starts as expected this spring, officials say, many of the jobs will already have been taken by highly skilled workers or men already in the state.

The oil industry, along with state and national officials, has begun a campaign to discourage the increasing influx of hopefuls, but families continue to appear in Anchorage, broke and bedraggled.

Last September, for the first time, the state Department of Health and Social Services began asking welfare recipients if they had come to Alaska for a pipeline job.

NUMBER STILL CLIMBING

In Anchorage alone, nearly 250 families said they had. Since then the number has climbed substantially.

The Greater Anchorage Area Community Action Agency (GAACAA), which exists to help welfare agencies plan for the future, paints a grim picture of pipeline work impact.

"For every job, there will be four applicants," says Gary Cole, a GAACAA project director. He estimates that 18,000 people will come to Anchorage looking for work during the first year of construction activity.

Industry officials predict a first-year maximum of 6,000 available jobs—few of them centered in Anchorage.

JOLT ANTICIPATED

"The sociological effect [of the influx] will be equal to a major earthquake," Mr. Cole says. "We'll be working with the 30 percent unemployment rate that was written about in John Steinbeck's 'Grapes of Wrath.'"

The Salvation Army, the first agency most jobless families contact, predicts "flocks" of helpless families needing assistance.

Alaska Gov. William A. Egan has urged job-seekers not to come to Alaska "unless they have a job promised or money for a ticket back home." Lt. Governor H. A. (Red) Boucher has appeared in national television spots sponsored by the pipeline builders to warn about Alaska's high unemployment rate and the scarcity of jobs.

The U.S. Department of Labor—after meetings with Mr. Egan—has agreed to notify all U.S. placement offices of the bleak prospects in Alaska.

Dean Berg, an executive with the Alyeska Pipeline Service Company, which will build the pipeline, says there are three reasons pipeline jobs are rare:

Construction has not begun. It will be months before a shovel of dirt is moved.

Most work will be handled by subcontractors. They have not even been named.

Legislative proposals require the company to give preference to Alaskans. That puts newcomers at a distinct disadvantage.

"There's little room in pipeline work for those who have no skills or marginal skills," Mr. Berg says. But all the dire predictions have not stopped some firms from trying to profit illegally at job-seekers' expense.

One such company has already been put out of business by the state's consumer protection agency for publishing phony ads in West Coast newspapers offering "job lists" and other information on the pipeline.

OTHERS UNDER PROBE

Three other firms currently are under investigation, according to Alaska's Assistant Attorney General Stan Howitt.

It also works the other way around.

One family arrived in Anchorage in late November and persuaded an Anchorage newspaper into carrying a heartbreaking story on page one. Three days later—after 200 people responded with food, parkas, and even a month's free rent on a home—the family disappeared.

Officials say the family stripped the donated home of bedding, furnishings, and even kitchen appliances and left. Welfare agencies said they received word later that the family was selling the goods.

[From the IBEW Journal, Feb. 1974]

ELECTRICIANS NOT NEEDED IN ALASKA

Local 1547, Anchorage, Alaska, has notified the International Office that it does not need journeyman wiremen, journeyman linemen, or journeyman technicians for the Trans-Alaska Pipeline project now or in the foreseeable future. Local 1547 has been besieged with phone calls and letters inquiring about the employment situation on the Pipeline job.

I. M. "Ike" Waldrop, business manager of Local 1547, relates that only a few technicians are employed on the North Slope at the present time and that the work situation is not expected to change until late spring. Local 1547 is suffering from unemployment, and does not expect to have full employment until July, 1974 at the earliest.

Because of the deluge of calls and letters, which have become impossible to answer, Local 1547 has requested that electricians interested in employment in Alaska refrain from phoning or writing to Local 1547 until further notice. Cooperation in this matter will be greatly appreciated by the local.